

EXHIBIT A

Hon. Richard A. Jones,
United States District Court, WDW,
700 Stewart Street,
Suite 13128, Seattle,
WA 98101-9906

Honorable Judge Richard Jones,

I am so sorry to the Court, Amazon, my family, and the sellers community. After spending so many years doing the ethical and moral thing, I let down so many people with my illegal actions described in the public apology that I have made and that I attached to this letter. I regret my actions. The ends do not justify the means.

My parents, who were children of Holocaust survivors and immigrants, were middle-class, blue-collar people who instilled in me the importance of having integrity. They worked very hard to provide for me and my six siblings, but they prioritized their integrity. They always refused government assistance when eligible, even though our large family could have used it, because my father wanted to “make it on his own.” This meant he was working two or sometimes three jobs to provide for us and to give us everything we needed. They still managed to give us a good childhood filled with religion, community, and family. They even scraped to send me to a private religious school my whole life because they wanted me to have good values. I’m very sorry to them.

I met and married my wife Zehava in Brooklyn 25 years ago. We have had a strong relationship and are very supportive of each other. We have six beautiful children together, and it’s amazing to watch them grow up, each of them so different. All of them live with us, but my three oldest children are already working. My oldest daughter is 23 and is already a practicing nurse, the second is a personal trainer, and my third daughter is a math teacher. My younger three children are all still in school, but each has unique passions. We’re so proud of each of them for what they are doing and who they are. I’m sorry to them.

I spend a lot of time now thinking about how I got here. I am lucky enough to be the only one in my family with a college degree. My primary focus was in Information Technology and E-commerce. After working steady jobs, I started an online sales business over twenty years ago, which shifted to selling motorcycle audio equipment on Amazon. Selling motorcycle equipment was an unusual line of work for an orthodox Jew in Brooklyn, but I loved it, and it was an honest living that provided for my family.

In May 2015, my business account was suspended. I was terrified because that was the main source of my family’s income. My wife and six children were dependent on it. Worse yet, I couldn’t figure out what I did wrong, and I couldn’t find anyone to talk to at Amazon that could tell me what I did wrong or how to fix it. I scoured the internet and asked all of the sellers I knew what I should do and couldn’t figure it out. After several grueling weeks, I somehow stumbled on the right wording that Amazon was looking for to get me reinstated.

I was surprised by so much of the process of my suspension. One of the things that surprised me was that, within the sellers community, there were no helpful resources to navigate these problems. So, I started a whatsapp chat with all the sellers I knew to group-source compliance issues we had. But many other sellers kept asking to join the group to find positive ways to work through our problems, so we switched platforms to become Amazon Sellers Group Telegram (“ASGTG”), which is a messaging platform application that allows the creation of group conversations that helps sellers stay up to date and talk with other sellers about selling on Amazon.

People kept asking me for help and it was taking up a lot of my time. So I started consulting as part of my business, and that soon became my primary source of income. Before getting involved in a case, I would quickly evaluate it for legitimacy and whether the case was suspicious or whether it was worth the fight. Over time, I hired people to do a lot of the individual consulting work to allow me to focus more on my passion - ASGTG. I spend a lot of my time preparing weekly emails about Amazon compliance, moderating chats while giving free advice, and even organizing convention events for sellers to unite to discuss their issues. On Facebook alone, ASGTG today has members from all over the world of different religions, races, and backgrounds. I’m very proud of all the good we have done, including advocating good policies for sellers, organizing successful petitions to Amazon, and generally being a force for good on the Amazon marketplace. I am ashamed that my actions have impacted ASGTG.

I am also proud that I was able to use my position in the community to escalate over 1200 cases to Amazon officials to get attention for individual sellers who needed a chance to be heard and to be seen, and of my part in saving many desperate businesses and the jobs of many people who counted on their work. I was happy to do it for free because it made me feel good to help them. Supporting Amazon sellers has been my purpose for nearly ten years. My illegal actions that resulted in my guilty plea in this case, have gotten in the way.

I love Amazon. And I know it may not seem like it from where I am, but it’s true. For nearly 20 years, most of my life has involved Amazon. The Amazon community has given me meaning and a livelihood and has even welcomed many of my siblings and in-laws. It is a community that I am proud to be a part of. But I violated Amazon’s privacy and rights. Although I never tried to hurt Amazon, what I did was wrong. I accept responsibility for my actions. And because of my upbringing, I hold myself to a high standard. I am ashamed and remorseful for my illegal conduct. I apologize to Amazon.

To the Court, I am also very sorry. I have tried to do whatever I can to make up for what I did. I cooperated with authorities by being interviewed by the prosecutors and agents early on in the case, with no promises of any benefit to me. I have increased my efforts to help Amazon sellers positively and further to encourage compliance with Amazon’s rules and regulations.

I took the initiative of offering and giving a public apology for what I did. I published it for the tens of thousands of people in my community. I have attached the text of that apology to this letter and reiterate that apology here for the Court. I ask the Court to read that apology because it states my true acknowledgment and acceptance of responsibility for my illegal behavior. I promise the Court that nothing like this illegal conduct will ever happen again.

I also hope that I will be able to continue to be a force in the community advocating for compliance with Amazon's Terms and Conditions.

Thank you so much for reading my letter.

Yours very sincerely,

A handwritten signature in black ink, appearing to read 'Ed Rosenberg', written in a cursive style.

Ed Rosenberg

Apology from Ed Rosenberg

This is an important message from me, Ed Rosenberg; it is an apology about a crime that I am pleading guilty to. Please read it.

For a time, some years ago, I began to obtain and use Amazon's internal annotations—Amazon's private property—to learn the reasons for sellers' suspensions, in order to assist them in getting reinstated, if possible. On some occasions, I paid bribes, directly and indirectly, to Amazon employees to obtain annotations and reinstate suspended accounts. These actions were against the law.

I should not have engaged in any of this conduct. I am sorry to have done these things. I very much regret doing them. I will be pleading guilty in federal Court to a crime for this misconduct. I promise that I will not do this again. I strongly encourage all sellers and seller consultants to follow my lead on this.

I understand that Amazon enforces its important Terms and Conditions to protect the integrity of the competitive marketplace and for the benefit of the public, consumers, and sellers alike. This is another reason I encourage all sellers and consultants follow these important rules.

No one should pay bribes to Amazon employees to provide private Amazon information. If it is apparent that internal information has been illegally leaked, no one should use it. Nor should anyone pay any Amazon employees for any other special favors regarding a seller's account. This conduct is wrong and criminal. Persons who engage in this misconduct should expect criminal prosecution, which—as I well know—is a huge deal.

In the course of this case I have made some public statements about this prosecution and the indictment. Those statements are not accurate and I disavow those statements. This statement I am making now is accurate and truthful and I will continue to stand by it.

EXHIBIT B



THE ALEPH INSTITUTE

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July 6, 2023

The Honorable Richard A. Jones
United States District Judge
Western District of Washington
United State Courthouse
700 Stewart Street, Suite 13128
Seattle, Washington 98101-9906

Re: ***United States v. Ephraim Rosenberg***
Case No. 20-CR-00151 RAJ-001

Dear Judge Jones:

I write on behalf of the Aleph Institute ("Aleph"), with respect and deference to the Court, regarding the sentencing of Ephraim Rosenberg ("Ed"). We wish to share our sentencing proposal that, we humbly submit, would further the goals of sentencing in achieving optimal results for Ed and for society. We are grateful for your consideration of this submission.

We genuinely hope and pray that we may be of service to the Court by providing the following meaningful alternative to incarceration for your consideration. We recommend that the Court consider a sentence for Ed consisting of a period of home detention, and a program of community service and education, in lieu of incarceration. We believe that incarceration would not provide any meaningful benefit to Ed or to society. In contrast, our proposed plan would be rehabilitative to Ed and beneficial to the community at large. We are hopeful that you will find that our presentation effectively addresses the compelling facts and circumstances specific to this case, and we are available to provide any additional input that may assist you in your sentencing decision.



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I. THE ALEPH INSTITUTE

The Aleph Institute (“Aleph”) was formed in 1981 at the direction of The Lubavitcher Rebbe, Rabbi Menachem M. Schneerson, *may his merit shield us*, to provide support and rehabilitation to individuals enmeshed in the criminal justice and penal systems.¹ Aleph became a reality during a meeting between Rabbi Sholom D. Lipskar and the Honorable late Jack Weinstein of the U.S. District Court for the Eastern District of New York. Judge Weinstein wrote the following about Aleph: ***“[T]he Aleph Institute, and [its] associates understand and force us to face the fact that each person deserves to be treated with respect as an individual personality and not as . . . a faceless number.”***² Judge Weinstein continued, “[Aleph’s] assistance to defendants and their families provide standards of compassion and aid worthy of emulation . . . As a result of its good work, Aleph is widely known and respected by penal and judicial authorities.”

Aleph’s work in the realm of criminal sentencing has been devoted to the development of effective alternative sentencing options. Our many years of experience have taught us that, in certain cases, the goals of the criminal justice system can be accomplished by alternative means, without compromising the need to promote criminal justice goals such as rehabilitation, retribution, deterrence, and incapacitation. We work closely with courts, federal and state lawmakers, law professors, and penal experts towards our common goal of achieving outcomes that promote justice, lessen the burden on shared penal resources, reduce recidivism, and benefit offenders, together with their families and communities. We take seriously our mission, which former FBI director and retired U.S. District Judge, the Hon. Louis Freeh, eloquently summarized as “championing and delivering justice to people who have been overlooked or forgotten by the rule of law, giving them hope, relief from suffering and the chance to improve their lives and fortunes.” We are further guided by our ethical teachings which emphasize that every individual – no matter his shortcomings – naturally has a positive purpose to fulfill in the world.

¹ www.aleph-institute.org; *see, also*, Appendix: The Aleph Institute, attached hereto.

² Hon. Jack B. Weinstein, Prison Need Not Be Mandatory: There Are Options Under the New U.S. Sentencing Guidelines, 1 JUDGE J. 16, 28 (1989).



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Since its formation, Aleph has submitted alternative sentencing recommendations in hundreds of criminal cases (federal and state) throughout the United States. We advocate for alternative sentences for individuals in whom we detect a genuine willingness to make positive changes in their lives. Further, we only advocate on behalf of individuals who have passed our rigorous screening process, and we do not advocate for any individual unless we are confident that they do not pose a future threat to society. ***We provide our services on a pro bono basis, motivated only by our sincere belief in the work that we do.***

We readily acknowledge that prison terms are often necessary as appropriate punishment for serious offenses and/or to protect the public from violent, predatory, or unrepentant offenders. Still, courts have observed that ***“[i]ncapacitory sentences are usually unnecessary to increase public safety, or prevent recidivism; they place a tremendous financial burden on society through excessive incarceration.”***³ In our experience, lengthy periods of incarceration inhibit defendants from fulfilling their potential, and devastate the family and community left behind, breeding bitterness, anger, insensitivity, and eventual recidivism. Too many defendants “lose their claim to a future” when “lengthy prison terms” are substituted for “reasonable, innovative, and promising alternatives to incarceration.”⁴ We find that our sentencing philosophy is given excellent expression in these words from William Fitzpatrick, the former President of the National District Attorneys Association, who suggests that ***“that we use prison for those we are afraid of, not those whom we are mad at based on their behavior.”***⁵

³ *United States v. Rivera*, 281 F. Supp. 3d 269, 271 (E.D.N.Y. 2017).

⁴ *United States v. Dossie*, 851 F. Supp. 2d 478, 478 (E.D.N.Y. 2012) (internal quotation omitted).

⁵ April 26, 2016, letter to Senators Mitch McConnell and Harry Reid.



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II. EPHRAIM ROSENBERG

Childhood

Ephraim (“Ed”) Rosenberg was born in Brooklyn, New York, to parents Pinchas (Paul) and Leah Rosenberg. Pinchas’ and Leah’s parents had survived the Holocaust. Pinchas was born in New Jersey, and Leah immigrated from Hungary with her parents when she was a child. Pinchas and Leah never hid this background of pain and suffering from their children, which had a strong influence on their lives. Ed’s parents made sure that their children (and grandchildren) did not any waste food, as they understood what it meant to go without. As a result, they never felt fully secure in their new lives, and they had a mistrust of authority.

Ed’s extended family was large, yet very close-knit. Pinchas had struggled with his father, who was very strict with his children. Pinchas decided he would not raise his children the same way, and Ed describes that he and his siblings (Ed is the middle child of seven siblings) were raised in a relaxed but religious Jewish household. Pinchas made sure his children felt loved and supported, and he made an effort to let them know that he would accept them for who they were. He and Leah strived to create a very loving family. Between working as a computer programmer, a rabbi, and a cantor, Pinchas was very busy, but he always made time for his children. The children attended religious schools, and Ed remembers having a rich intellectual and social life. He played many sports, and he still regularly exercises, which he finds to be very therapeutic. He also excelled academically, and remembers his childhood as a happy one. He remains very close to his parents, speaking to his mother every day.

College and Marriage

Higher education was not commonplace in the Rosenberg family, and Ed was the first and only family member to graduate from college. After finishing high school, he had no chosen career path. He decided to attend Touro University, where he majored in IT. After graduating from Touro, Ed got a job as a computer programmer, and he worked as a contractor at Morgan Stanley until he lost his job in 2001 due to corporate downsizing as a consequence of 9/11. Unemployed and looking for work, Ed began exploring eBay. He found success working in e-commerce and transitioned to that full-time, selling audio equipment. His business was thriving until one of his warehouses was robbed. Approximately \$500,000 of Ed’s merchandise was stolen, and lacking insurance, he had to rebuild from the ground up. He gradually expanded from eBay to



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Amazon, and in 2015 he decided to create his organization (Amazon Sellers Group Telegram, or “ASGTG”) to help protect other sellers.

While studying at Touro, Ed started dating Zahava when he was 21 years old. They dated for only a month before getting engaged, which Ed attributes to them instinctively knowing they were right for one another. Ed and Zahava married two years after they met. Ed describes Zahava as “a powerhouse and superhero,” explaining that she is the foundation of their family and he could not function without her tireless support. Together, they have six children: Baila (age 23), Yael (age 21), Shira (age 20), Avigail (age 17), Asher (age 14), and Hadassah (age 12).

Ed is a Strong Candidate for Alternative Sentencing

Through our work with Ed, we have had an opportunity to understand him as a complete person, separate and apart from his criminal conduct, and we have seen the good of which he is capable. We are aware of the nature and circumstances of his offense, and we acknowledge that his actions were inexcusable.

We believe that Ed, his family, and his community, would best be served by a sentence consisting of a period of home detention, together with a program of community service and education, in lieu of incarceration. Our alternative sentencing proposal would allow Ed to continue on his path of growth, while also allowing him to continue to benefit his community and society.

Alternative Sentencing Proposal

As an organization motivated by the universal truths of moral and ethical behavior laid forth in Jewish law, we respectfully suggest that the following proposal would be an appropriate sentence in lieu of incarceration.

Home Detention

We propose that Ed’s sentence include a period of home detention, which (with the Court’s permission) would allow him to engage in a program of community service and education. A sentence whereby Ed would remain in the community would also allow him to maintain and strengthen his already strong relationships with his family.



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Community Service

Ed will provide five, 30-minute training sessions each week for two years (via phone or Zoom) to assist, guide, and mentor individuals starting e-commerce sales businesses. Ed has substantial experience in the field and has continuously endeavored to help smaller participants enter a market that is dominated by very large companies. He can use his experience and skills to help this community, and especially guide them from avoiding his mistakes .

Through ASGTG, Ed hosts an [annual event](#) designed to address compliance issues and help “level the playing field” for participants in e-commerce.⁶ Last year, this event was attended by over 130 sellers and service providers, and featured several speakers who are leaders in their industry. There is a cost to attending this event, but in order to give back to enrich this community, Ed will provide 50 people who are struggling financially a free pass to participate in the event . This will benefit the community in providing struggling businesses an opportunity to access some of the advantages of some of more established businesses.

Education and Spiritual Counseling

Ed is currently working towards completing an online course offered by Northeastern University, entitled “[Intro to Managing Ethics in the Workplace and Marketplace](#)” on managing ethics in the work environment.⁷ The course focuses on ethics, decision-making, and critical thinking, and provides instruction on: (i) evaluating situations, issues, and making judgements on what constitutes an ethical problem; (ii) using ethics to help set business and management priorities; and (iii) assigning ethical problems into categories that allow one to approach the problem using standard tools and techniques.

Aleph’s Rabbi Binyomin Rechavel⁸ has also agreed to provide Ed with spiritual counseling, as well as instruction on adherence to the “laws of the land” in accordance with the practice of the Jewish faith. Together with Rabbi Rechavel, Ed will explore thousands of years of Jewish history and wisdom addressing criminal conduct, ethics, and rehabilitation. Through these meetings, Rabbi Rechavel will help Ed recover the

⁶ See, <https://www.linkedin.com/pulse/asgtg8-recap-amazon-sellers-event-ed-rosenberg/?trackingId=R9nzYOi9RL%2BbpATIGNf%2FRQ%3D%3D>

⁷ See, <https://www.coursera.org/learn/intro-to-managing-ethics-in-the-workplace-and-marketplace>

⁸ benrecheval@aleph-institute.org; (414) 828-9833.



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straight path from which he has veered. This will involve engaging in heartfelt discussions about how to avoid gray areas or practices that seem even remotely unethical. Ed and Rabbi Rechavel will meet each week, for one hour.

Application of Sentencing Factors

Retribution

Ed has already experienced tremendous pain and suffering as a result of his actions. Moreover, under our proposal, Ed will continue to have requirements placed on him in the form of home detention.

While not a formal element of our proposal, it cannot be denied that Ed has already experienced tremendous shame and humiliation as a result of his arrest and conviction. Maimonides and Jewish Law both emphasize that shame can occasionally serve as a substitute for standard punitive and deterrent elements. Shame suffered by an individual should not be undervalued or underappreciated.

Deterrence

A period of home detention, as well his participation in community service and education, will serve to deter Ed from engaging in any future misconduct. Further, whereas a prison sentence often fails to provide adequate deterrence, shame succeeds. Shame is a powerful reason that non-custodial sentences can be effective in deterring criminal conduct and, for the reasons discussed above, Ed's shame is acute.

Incapacitation

A period of home detention would place significant restrictions upon Ed's freedom and mobility. Further, Ed has never been in trouble with the law before. He understands the damage he caused by his actions. Therefore, it is highly unlikely that he will reoffend.

Rehabilitation

Our proposal is specifically tailored to address the rehabilitative goal of sentencing. As many scholars, the Supreme Court, and the Rabbis at Aleph have all observed,



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prison is often not conducive to “promoting correction and rehabilitation.”⁹ This is because rehabilitation is a “forward-looking” concept, promoting resocialization by emphasizing “personal reform over punishment” and “illuminat[ing] the criminal’s inner struggle,”¹⁰ and as such only works when combined with an intense personal commitment to change. Perhaps understandably, though imprisonment may satisfy a thirst for retribution, the prison environment rarely inspires this commitment in the incarcerated individual. As Judge Richard Lowell Nygard once observed, “people – offenders included – change because they see something in themselves they do not like, and they reach down inside themselves and change it. Most criminal offenders who change for the better do so in spite of prison not because of it.”¹¹

Whereas prison may not promote rehabilitation, community-based programs like Aleph’s proposal are often effective at restoring an individual’s commitment to ethical behavior. We believe that Ed will be able to rehabilitate himself through these efforts, and that, in the process, he will push others to reach their full potential.

III. CONCLUSION

Ed is an asset to his family, his friends, and his community, and there are so many people who would suffer in his absence. Accordingly, we humbly propose that he receive a sentence without incarceration.

With the utmost respect and admiration for Your Honor’s wise and compassionate decisions, I hope and pray that this submission will receive the consideration that will produce satisfactory results for society and for Ed.

With gratitude and prayerful wishes for all good.

Respectfully submitted,

/s/ Yossi Bryski

⁹ *Tapia v. United States*, 131 S. Ct. 2382, 2387 (2011); see also Benjamin L. Apt, *Do We Know How To Punish?* New Crim. L. Rev. 437, 460 (2016).

¹⁰ Benjamin L. Apt, *Do We Know How To Punish?* New Crim. L. Rev. 437, 458-60 (2016).

¹¹ Richard Lowell Nygaard, *Crime, Pain, and Punishment: A Skeptic’s View*, 102 Dick. L. Rev. 355, 362-63 (1998).



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Rabbi Yossi Bryski
Director of Alternative Sentencing
The Aleph Institute

APPENDIX:

THE ALEPH INSTITUTE

INTRODUCTION AND HISTORY

The [Aleph Institute](#) (“Aleph”) is a 501(c)(3) non-profit organization committed to improving our criminal justice system so that it delivers sensible and fair justice for all stakeholders, and improves conditions of confinement and re-entry programs for those imprisoned. It assists the families of individuals facing punishment or serving sentences to deal with the many, often devastating collateral consequences of prosecution and imprisonment of a loved one, and supports members of the armed forces. Aleph's prevention program offers an array of educational opportunities designed to cultivate greater adherence to the law. By addressing the root causes of unlawful behavior, Aleph aims to inspire current and emerging generations to strive for higher standards, ethically and legally, and thus prevent collateral consequences before they even occur. Aleph also promotes the more widespread use of alternatives to incarceration in appropriate cases. Aleph supports individuals and families regardless of their religion or ethnicity, and provides all its services *pro bono*.

Aleph was created 42 years ago during a meeting between the late [Honorable Jack Weinstein](#), U.S. District Judge for the Eastern District of New York, and Rabbi Sholom Lipskar, in Judge Weinstein's chambers. Rabbi Lipskar was inspired by The Lubavitcher Rebbe, Rabbi Menachem M. Schneerson, to create an organization that would work to change the sterile and often dehumanizing environment of prisons into environments of restoration, rehabilitation, and reformation. Similarly, Judge Weinstein understood that every person involved in the criminal justice system needs to be treated as an individual, a person, and not just a statistic.

Utilizing a spiritual focus, together with practical life skills and counseling, Aleph seeks to help individuals to recalibrate their lives, preparing them for effective reentry into society. Aleph's efforts during the past 42 years have served thousands of incarcerated individuals and their families, culminating in the reinforcement of strong family ties, and helping to facilitate a more successful transition back into the community. In Judge Weinstein's words, “[T]he Aleph Institute...understands and forces us to face the fact that each person deserves to be treated with respect as an individual personality and not as...a faceless number.”¹

Aleph has worked cooperatively and productively over the years with hundreds of current and former federal and state judges, prosecutors, probation officers, prison officials, and members of Congress from across the country – including former Attorneys General and Deputy Attorneys General, Bureau of Prisons directors, U.S. Attorneys, District Attorneys, and others. Aleph played an instrumental role in securing passage of the First Step Act of 2018, which brought about much-needed reforms to the federal criminal punishment system. Aleph has become a leading, credible voice in the ever-growing movement toward criminal justice reform

¹ Jack B. Weinstein, *Prison Need Not Be Mandatory: There Are Options Under the New U.S. Sentencing Guidelines*, 1 Judge J. 16, 28 (1989).

ALEPH'S WORK IN ALTERNATIVE SENTENCING

The Benefits of Alternatives to Incarceration

The historical approach to sentencing, which uses incarceration as the default remedy for criminal conduct, has staggeringly high economic and societal costs. The United States spends nearly \$300 billion annually to police communities and incarcerate 2.2 million people.² The societal costs of incarceration – lost earnings, adverse health effects, and the damage to the families of the incarcerated – are estimated at up to three times the direct costs, bringing the total burden of our criminal justice system to roughly \$1.2 trillion each year.³ Whenever a court sentences an individual, it is not a stretch to say that it sentences an entire family, and the children of incarcerated individuals will suffer a permanent scar. Specifically, research shows that children of incarcerated parents demonstrate maladaptive symptoms, including behavioral problems, difficulties at school, depression, and an increased risk of winding up in prison themselves.⁴

Our many years of experience have taught us that, in certain cases, the goals of the criminal justice system can be accomplished by measures other than incarceration. The historic mindset that incarceration should be the default approach to malfeasance is failing both society and the individual. The weight of the evidence suggests little or no correlation between longer prison sentences (more than ten years) and reduced recidivism; indeed, the National Institute of Justice has concluded that “long prison sentences do little to deter people from committing future crimes.”⁵ In fact, longer sentences may slightly *increase* recidivism when compared to shorter sentences.⁶ The imposition of long sentences on a large scale “offers diminishing returns for public safety.”⁷

Aleph has developed the view that custodial sentences should be reserved for individuals who have a history of violence, as well as for those individuals (including certain nonviolent offenders) who may otherwise pose a danger to society if allowed to remain at liberty. Rather than being strictly

² <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6728>, Table 1.

³ <https://joinnia.com/wp-content/uploads/2017/02/The-Economic-Burden-of-Incarceration-in-the-US-2016.pdf>.

⁴ <https://www.publichealthpost.org/research/incarcerations-costs-for-families/>

⁵ William Fitzpatrick, a former President of the National District Attorneys' Association, April 26, 2016 letter to Senators Mitch McConnell and Harry Reid. See also Daniel S. Nagin, *Deterrence in the Twenty-First Century*, 42 CRIME & JUST. 199, 201 (2013) (“There is little evidence that increases in the length of already long prison sentences yield general deterrent effects that are sufficiently large to justify their social and economic costs.”)

⁶ Roger Przybylski, John Maki, Stephanie Kennedy, Aaron Rosenthal and Ernesto Lopez, *The Impact of Long Sentences on Public Safety: a Complex Relationship* (November 2022), Council for Criminal Justice, Task Force on Long Sentences.

⁷ *Id.*

punitive, criminal punishments should be designed to confer a benefit on the victims of the offense and society as a whole, and provide appropriate support and rehabilitative services to the defendant.⁸ This sentencing philosophy is reflected in every case that Aleph accepts: Aleph's advocacy is deeply rooted in its conviction that incarceration should not be used absent a compelling need. We agree with William Fitzpatrick, the former President of the National District Attorneys' Association, who suggested that society "use prison for those we are afraid of, not those whom we are mad at based upon their behavior."⁹

Aleph's Approach

Aleph is among the very few non-profit organizations in the criminal justice arena that advocates not only for systemic changes but also directly on behalf of individuals facing criminal punishment. Aleph presents, to courts and prosecutors around the country, alternatives to incarceration for defendants who are selected by Aleph through a careful screening process. Aleph's Alternative Sentencing Department generally only advocates on behalf of individuals who are first-time offenders who have not committed a crime of violence. Aleph's alternative sentencing work is focused on individuals who have expressed clear and genuine remorse and a willingness to make amends for their conduct, and/or cases where there are compelling mitigating circumstances that justify a lower sentence. Aleph does not advocate for an alternative sentence in cases where it deems the individual to be a threat to public safety.

In addition to these requirements, Aleph makes an individualized assessment of the suitability of alternative sentencing, relying heavily on its vast experience compiled over four decades. Aleph has built a strong track record of credibility and success, in which many judges have imposed lower sentences based on one or more factors identified by Aleph in its written submissions and oral allocutions at sentencings. A recent review conducted by Covington & Burling LLP found that, in cases where Aleph made sentencing recommendations, sentencing judges relied on one or more factors identified by Aleph in imposing a sentence equal to or near to Aleph's recommendation in a majority of such cases.¹⁰

Crafting an Alternative Sentencing Proposal

Legal scholars, the United States Supreme Court, and the rabbis at Aleph have all observed that prison is often not conducive to "promoting correction and rehabilitation."¹¹ This is because rehabilitation is a "forward-looking" concept, promoting resocialization by emphasizing "personal

⁸ Talmud Berachos 606b; Likutei Torah Nasso.

⁹ William Fitzpatrick, a former President of the National District Attorneys' Association, April 26, 2016 letter to Senators Mitch McConnell and Harry Reid.

¹⁰ In several cases, the sentencing judge *expressly* relied (in whole or in part) on Aleph's submission in determining the sentence.

¹¹ *Tapia v. United States*, 131 S. Ct. 2382, 2387 (2011); *see also* Benjamin L. Apt, *Do We Know How To Punish?* New Crim. L. Rev. 437, 460 (2016).

reform over punishment” and “illuminat[ing] the criminal’s inner struggle,”¹² and as such only works when combined with an intense personal commitment to change. Though imprisonment may satisfy a thirst for retribution, the prison environment rarely inspires this commitment in the incarcerated individual. As Judge Richard Lowell Nygard once observed, “people – offenders included – change because they see something in themselves they do not like, and they reach down inside themselves and change it. Most criminal offenders who change for the better do so in spite of prison not because of it.”¹³

Whereas prison may not promote rehabilitation, community-based programs like Aleph’s proposals can be effective at restoring an individual’s commitment to ethical behavior. Further, the same characteristics that may have made an individual such a source of strength for their own family and community will enhance the positive impact of their efforts for those with whom they interact under the terms of Aleph’s proposal. We believe that individuals may best rehabilitate themselves through these efforts and that, in the process, they will push others to reach their full potential.

Aleph’s sentencing proposals are designed to mete out appropriate, substantive punishment with the greatest benefit and lowest cost to society, while redirecting and enhancing an individual’s value structure through social, therapeutic, and moral counseling and education. Every proposal Aleph submits carefully considers the traditional sentencing goals (retribution, rehabilitation, incapacitation, and deterrence), as well as the unique history and personal characteristics of each defendant, in an effort to provide effective correctional solutions. We typically advocate for sentences that include an alternative, non-custodial component – for example, community service, restorative justice, psychotherapy, or spiritual counseling. The non-custodial aspect of the sentence allows individuals to directly address the shortcomings that contributed to their offense, and also gives them an opportunity to use their sentence as a means to improve themselves and the world around them.

Aleph strives to craft alternative sentences that directly address the crime that brought an individual into the criminal justice system. An individual who serves the community that he or she has wronged, and employs his or her unique strengths to support those who need help, may have a truly redemptive and rehabilitative experience. For example, where appropriate, Aleph may recommend that individuals present “deterrence talks,” whereby they share their personal experiences that led to their involvement in the criminal justice system, with other members of their community. In this way, the goals of both rehabilitation and deterrence are furthered: such individuals must directly and openly confront their wrongful conduct as a component of their rehabilitation, and others may be deterred from following a similar path. Selectively administered, such alternative sentences can provide individuals with an opportunity to improve themselves and the world around them, while also keeping them with their families and in their community, thereby limiting harmful collateral consequences.

¹² Benjamin L. Apt, *Do We Know How To Punish?* New Crim. L. Rev. 437, 458-60 (2016).

¹³ Richard Lowell Nygaard, *Crime, Pain, and Punishment: A Skeptic’s View*, 102 Dick. L. Rev. 355, 362-63 (1998).

Taking a Leadership Role

Motivated by this sentencing philosophy, Aleph endeavors to become a resource to those seeking to promote the more widespread use of alternative sentencing in appropriate cases, as well as the broader reform of the criminal justice system. In this role as advocate for a better approach to sentencing, we work to bring together thought leaders, judges, and prosecutors to improve the sentencing framework.

Aleph has sponsored and conducted [two summits](#) on sentencing and sentencing reform – one in 2016 at the Georgetown Law Center, entitled “[Alternative Sentencing Key Stakeholders](#),” and one in 2019 at Columbia Law School, entitled “[Rewriting the Sentence](#).” Both summits were attended by hundreds of criminal justice stakeholders, including federal and state judges, federal and state prosecutors, probation officers, private practitioners, academics, and others, from across the country. The [focus](#) of both summits was on bringing about a more enlightened and humane criminal justice system, in which individuals facing punishment are treated fairly and humanely, consistent with preserving the interests of their families, communities, victims, and society as a whole.

In October 2023, the Center for Justice and Human Dignity (“CJHD”) (a 501(c)(3) non-profit organization that was incubated at and is supported by Aleph) will host another summit at George Washington University School of Law in Washington, DC, entitled “[Rewriting the Sentence II Summit on Alternatives to Incarceration](#).” This summit, which will build off Aleph’s two prior summits, will serve as a dedicated forum where judges, prosecutors, and other decision-makers can come together to confront the complex challenges in addressing mass incarceration and its harmful consequences, including through the adoption of alternative sentencing programs and a reimaged approach to criminal justice. Together with CJHD, Aleph is also actively developing the Forum for Alternatives to Incarceration Resources, an online resource designed to provide a wealth of information and resources regarding alternative sentencing practices and implementation strategies throughout the United States.

SUPPORTIVE STATEMENTS ABOUT ALEPH

Aleph has been publicly recognized numerous times for its outstanding contributions to improving the criminal justice system. The following is a selection of supportive statements about Aleph.

“The Aleph Institute is doing extraordinary fine work. Aleph helps in three ways. First, it explains to judges and the judicial system when and how alternatives to prison which protect the public are possible. Second, it helps those in prison develop their spiritual lives and maintain contact with their families and the world beyond their bars and barbed wire. Third, it assists those on the outside, particularly the children of prisoners, to retain their ties with prisoners. As a result of its good work, Aleph is widely known and respected by penal and judicial authorities.”

—**The Late Hon. Jack B. Weinstein**, Former Chief Judge of the U.S. District Court, Eastern District of New York.¹⁴

“For over 35 years Aleph has been championing and delivering justice to people who have been overlooked or forgotten by the rule of law, giving them hope, relief from suffering and the chance to improve their lives and fortunes. Both these individuals and the nation are the beneficiaries of Aleph’s goodness and mission.”

— **Hon. Louis Freeh**, former U.S. District Judge, Southern District of New York, and former Director of the FBI, [at Aleph’s 2016 ASKS Summit, Georgetown University Law Center.]

“While judging, in general, requires the application of law to the facts, sentencing requires more. It necessarily involves empathy and compassion, which Aleph surely brings to the table. At a time when sentencing principles are changing, Aleph’s input is invaluable. It provides careful analysis of alternatives to incarceration entirely consistent with – and some may say better suited to – public safety. It provides a critical link between prisoners and their families and friends, making certain that prisoners – human beings – do not disappear behind the walls. Put simply, Aleph brings to bear its reservoirs of compassion and empathy, both before during and after punishment has been imposed, and has been doing so for 35 years.”

—**Hon. Nancy Gertner**, former U.S. District Judge, District of Massachusetts; Professor at Harvard Law School, [at Aleph’s 2016 ASKS Summit, Georgetown University Law Center.]

“I think we are all in agreement this has been an extraordinary summit....35 years ago, a young Rabbi started some educational institutions, believing... that education was a fundamental right and goal of all people. He also had an interest—because of faith, belief and experience—that reforms could be made in the criminal justice system; to deal with defendants more humanely, to be aware of the impact on families, [and] the problem of reentry, and he started an institution to deal with these problems. Today we are the beneficiaries of that vision and that work.”

—**The Late Hon. Charles B. Renfrew**, U.S. Deputy Attorney General and U.S. District Judge, Northern District of California, [at Aleph’s 2016 ASKS Summit, Georgetown University Law Center.]

“The Aleph Institute must be commended for its vision in bringing together at the ASKS Summit such diverse and interesting people and perspectives on the questions of criminal justice reform and sentencing alternatives in this era of mass incarceration.”

—**Hon. Judge Brooke Wells**, U.S. Magistrate Judge, District of Utah, at Aleph’s 2016 ASKS Summit, Georgetown University Law Center.

¹⁴ *Supra*, note 1.

“You at Aleph are doing extraordinary things on behalf of the judges in my court. We appreciate the work that you do.”

—**Hon. Joy Flowers Conti**, Senior U.S. District Judge, Western District of Pennsylvania.

“Today judges and lawyers, prosecutors and law enforcement communities...are engaged in trying to make certain that our system is fair. It takes a collaborative partnership and that’s why I am so glad that all of us are here committed to making certain our justice system is the best that it can be. And I thank [Aleph] for being here. And I thank you for your continued great work.”

—**Hon. Bernice Donald**, former U.S. Circuit Judge for the Sixth Circuit.

“The many problems in our system cannot be addressed by simply building more prison beds. One of the keys of an effective Department of Corrections will be...great emphasis on alternatives to incarceration. Organizations such as the Aleph Institute will be key to any community-based programs.”

—**The Late Hon. Lawton Chiles**, former Governor, Florida.

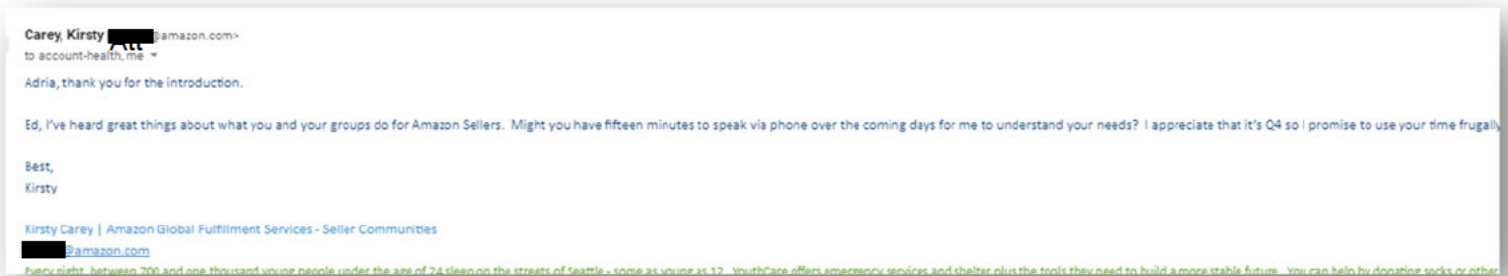
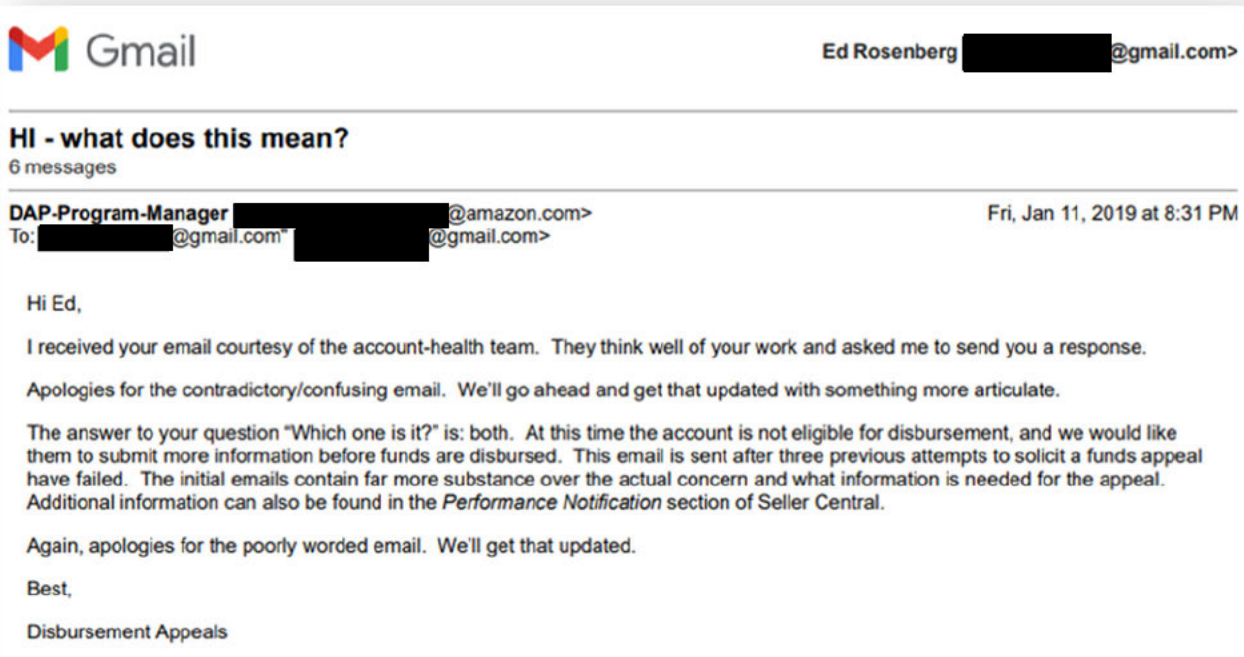
“[Criminal Justice reform] is hard work and even if we do it thoughtfully, and with the openness and humanity it requires, there will inevitably be setbacks and disappointments...But it is work that draws its sustenance from the divine spark in each of us. I commend Aleph for its decades of commitment, and for convening such an impressive group of people and organizations.”

—**Hon. Jeremy Fogel**, former U.S. District Judge, Northern District of California, and former Director of the Federal Judicial Center, at Aleph’s 2019 Rewriting the Sentence Summit, Columbia University Law School.

“Over the years, I have worked pro-bono on a number of matters with the Aleph Institute. The Institute’s staff are incredibly dedicated, caring, smart, and hardworking. The Institute provides invaluable assistance to people from all walks of life and helps them find the justice they deserve with the compassion they need.”

—**Larry Thompson**, former U.S. Deputy Attorney General and former U.S. Attorney, Northern District of Georgia.

EXHIBIT C



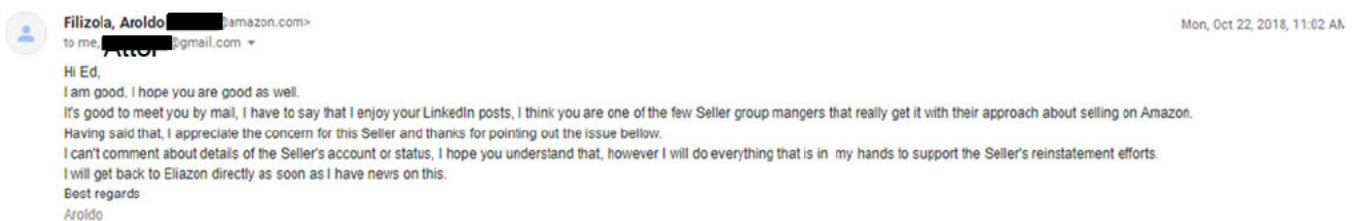
Adria, thank you for the introduction. Ed, I have heard great things about what you and your groups do for Amazon Sellers. Might you have fifteen minutes to speak via phone over the coming days for me to understand your needs? I appreciate that it's Q4 so I promise to use your time frugally. Best, Kristy



Hi Ed, Let me follow up on why no response – I just pinged the owner of that email alias. I heard your event was a success – I know Kristy and Danny raved about it. Well done! Thanks for being an advocate for Sellers, Ed! Wishing you a great weekend, Adria.



Thanks, Ed! We're looking to add more detail to the information in this column in order to make it more helpful for Sellers (e.g. the specific type of Restricted Product violation). It's great you're noticing the changes we're making, and I appreciate the feedback.



Hi Ed, I am good, I hope you are good as well. It's good to meet you by mail, I have to say that I enjoy your LinkedIn posts, I think you are one of the few Seller group managers that really get it with their approach about selling on Amazon. Having said that, I appreciate the concern for this Seller and thanks for pointing out the issue below. I can't comment about details of the Sellers' account or status, I hope you understand that, however I will do everything that is in my hands to support the Seller's reinstatement efforts. I will get back to Elizaon directly as soon as I have news on this. Best regards, Aroldo

EXHIBIT D



EXCLUSIVE

PRIME AND PUNISHMENT

Dirty dealing in the \$175 billion Amazon Marketplace

By [Josh Dzieza](#) | [@joshdzieza](#) | Dec 19, 2018, 8:31am EST

Illustrations by [BloodBros](#).

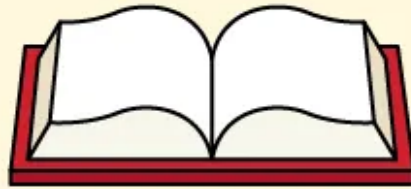
| 104 comments

Josh Dzieza is an investigations editor covering tech, business, and climate change. Since joining *The Verge* in 2014, he's won a Loeb Award for feature writing, among others.

Last August, Zac Plansky woke to find that the rifle scopes he was selling on Amazon had received 16 five-star reviews overnight. Usually, that would be a good thing, but the reviews were strange. The scope would normally get a single review a day, and many of these referred to a different scope, as if they'd been cut and pasted from elsewhere. "I didn't know what was going on, whether it was a glitch or whether somebody was trying to mess with us," Plansky says.

As a precaution, he reported the reviews to Amazon. Most of them vanished days later — problem solved — and Plansky reimmersed himself in the work of running a six-employee, multimillion-dollar weapons accessory business on Amazon. Then, two weeks later, the trap sprang. “You have manipulated product reviews on our site,” an email from Amazon read. “This is against our policies. As a result, you may no longer sell on Amazon.com, and your listings have been removed from our site.”

KEY FINDINGS



- Amazon's Marketplace, the company's third-party platform, has almost twice the sales as Amazon retail — and it's growing far faster
- Getting suspended from the platform can have severe financial repercussions for sellers and land them in a bewildering appeals system
- The suspension process has given rise to an industry of consultants who specialize in writing Amazon

appeals and getting sellers back on the platform

- Sellers use Amazon's own rules against each other, devising intricate schemes to get their rivals suspended
- Schemes include buying fake five-star reviews for their competitors, filing false intellectual property reports, reclassifying their rivals' listings in unrelated categories, and tampering with trademark files at the patent office
- There is a black market for internal Amazon data on customers and sellers, seller accounts, and reinstatement

A rival had framed Plansky for buying five-star reviews, a high crime in the world of Amazon. The funds in his account were immediately frozen, and his listings were shut down. Getting his store back would take him on a surreal weeks-long journey through Amazon's bureaucracy, one that began with the click of a button at the bottom of his suspension message that read "appeal decision."

When you buy something on Amazon, the odds are, you aren't buying it from Amazon at all. Plansky is one of [6 million sellers](#) on Amazon Marketplace, the company's third-party platform. They are largely hidden from customers, but behind any item for sale, there could be dozens of sellers, all competing for your click. This year, Marketplace sales were almost double those of Amazon retail itself, according to [Marketplace Pulse](#), making the seller platform alone the largest e-commerce business in the US.

For sellers, Amazon is a quasi-state. They rely on its infrastructure — its warehouses, shipping network, financial systems, and portal to millions of customers — and pay taxes in the form of fees. They also live in terror of its rules, which often change and are harshly enforced. A cryptic email like the one Plansky received can send a seller's business into bankruptcy, with few avenues for appeal.

Sellers are more worried about a case being opened on Amazon than in actual court, says Dave Bryant, an Amazon seller and [blogger](#). Amazon's judgment is swifter and less predictable, and now that the company [controls nearly half](#) of the online retail market in the US, its rulings can instantly determine the success or failure of your business, he says. "Amazon is the judge, the jury, and the executioner."

Amazon is far from the only tech company that, having annexed a vast sphere of human activity, finds itself in the position of having to govern it. But Amazon is the only platform that has a [\\$175 billion](#) prize pool tempting people to game it, and the company must constantly implement new rules and penalties, which in turn, become tools for new abuses, which require yet more rules to police. The evolution of its moderation system has been hyper-charged. While Mark Zuckerberg mused recently that Facebook might need an analog to the [Supreme Court](#) to adjudicate disputes and hear appeals, Amazon already has something like a judicial system — one that is secretive, volatile, and often terrifying.

Amazon's judgments are so severe that its own rules have become the ultimate weapon in the constant warfare of Marketplace. Sellers devise all manner of intricate schemes to frame their rivals, as Plansky experienced. They impersonate, copy, deceive, threaten, sabotage, and even bribe Amazon employees for information on their competitors.

And what's a seller to do when they end up in Amazon court? They can turn to someone like Cynthia Stine, who is part of a growing industry of consultants who help sellers navigate the ruthless world of Marketplace and the byzantine rules by which Amazon governs it. They are like lawyers, only their legal code is the Amazon Terms of Service, their court is a secretive and semiautomated corporate bureaucracy, and their jurisdiction is an algorithmically policed global bazaar rife with devious plots to hijack listings for novelty socks and plastic watches. People like Stine are fixers, guides to the cutthroat land of Amazon, who are willing to give their assistance to the desperate — for a price, of course.



Photographed by Laura Buckman for The Verge

Stine runs a 25-person company out of the den of her one-story house in a leafy neighborhood of East Dallas. Each day, sitting before dual monitors and jotting notes on her tablet, she takes calls from distraught sellers who have received the dreaded email from Amazon. On her walls: photos of her family and the families of her support staff in the Philippines; a pegboard with packing tape and shipping labels, vestiges of her past life as an Amazon seller; and a sign that says “COFFEE... until it’s time for WINE.”

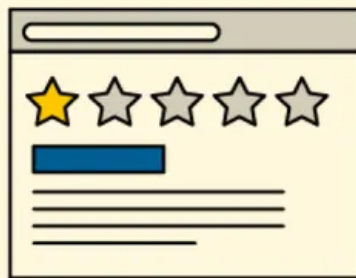
She’s outgoing and cheerful, happy to digress into war stories about the time an algorithm change suspended a swath of the Jewish Orthodox pearl dealing industry or a years-long “bloodbath” between two sellers of electric wheelchair batteries. But on the phone, she listens patiently as sellers rattle off their list of grievances. “You’ve got to get them off the ledge, and one of the ways to do that is for them to get heard,” Stine says. “Amazon won’t give you that. They’re not going to talk to a human.”

She calls the scheme that got Plansky a “dirty seller trick,” and she’s seen it before. As Amazon has escalated its war on fake reviews, sellers have realized that the most effective tactic is not buying them for yourself, but buying them for your competitors — the more obviously fraudulent the better. A handful of glowing testimonials, preferably in broken English about unrelated products and written by a known review purveyor on Fiverr, can not only take out a competitor and allow you to move up a slot in Amazon’s search results, it can land your rival in the bewildering morass of Amazon’s suspension system.



IT'S LIT

Somebody bought your product, lit it on fire, took a picture, and told Amazon that your goods are explosive.



And Stine's team had bad news: the only way back from suspension is to "confess and repent," she says, even if you don't think you've done anything wrong. "Amazon doesn't like to see finger-pointing."

Amazon calls them "appeals," which suggests that there's a possibility of having the verdict overturned. In reality, they're more like a plea bargain crossed with a business memo, the core of which is a "plan of action" — an explanation of how you'll make things right. And to make things right, you need to admit to having done something wrong. So Plansky sat down with Stine's team and looked for something, *anything*, to confess to. In his appeal, he admitted to providing discounts for reviews before Amazon banned the practice, and to sending customers emails about printing out shooting targets that the algorithm might have mistaken for bribes.

"It was crazy," he says. "I felt like I was in prison for a crime I didn't commit, and the only way out was to plead guilty."

In a way, Plansky had it easy. He at least knew what he had to confess to, even if he hadn't done it. Many sellers can't even figure out what Amazon is accusing them of. A

suspension message will typically list an item along with a broad and tangentially related category of an infraction, like “used sold as new.” Understandably, sellers respond by sending invoices that show that the items are, in fact, new. Actually, Stine says, the suspension usually has nothing to do with the item being used, but with something like a peeling label on the box. “The thing Amazon wants you to fix is the buyer perception,” Stine says. “Just proving to Amazon that your goods are new is not good enough because Amazon wants you to address *why* the buyers *thought* they were used.” One seller described the typical process as Amazon saying, “I’m putting you in jail but not telling you what you did, now give me a justification for why I should let you out and you won’t do it again.”

“A Kafkaesque bureaucracy with bad writing”

The appeals process is so confounding that it’s given rise to an entire industry of consultants like Stine. Chris McCabe, a former Amazon employee, set up shop in 2014. CJ Rosenbaum, an attorney in Long Beach, New York, now bills himself as the “Amazon sellers lawyer,” with an “Amazon Law Library” featuring *Amazon Law, vol. 1* (\$95 on Amazon). Stine’s company deals with about 100 suspensions a month and charges \$2,500 per appeal (\$5,000 if you want an expedited one), which is in line with industry norms. It’s a price many are willing to pay. “It can be life or death for people,” McCabe says. “If they don’t get their Amazon account back, they might be insolvent, laying off 10, 12, 14 people, maybe more. I’ve had people begging me for help. I’ve had people at their wits’ end. I’ve had people crying.”

Much of Stine’s work involves translating Amazon’s cryptic suspension messages and then digging through every review, metric, and message in a seller’s account just to find the infraction she needs to design a remedy for. Sitting at her workstation, she clicks around the seller interface like a mechanic fiddling under the hood, talking mostly to herself. She looks at a warning message. “Amazon mad.” She sees a listing for dog toys that people complained were too chewy for their dogs. “This right here is going to trigger Amazon’s freak-o-meter real soon.”

The actual infraction can be as slight as the indictment is broad. Stine has a client whose listing for a rustic barn wood picture frame was deemed unsafe and taken down; it turned

out the offense was a single customer review that mentioned getting a splinter. (The customer had actually given it five stars.) The seller was allowed back when he promised to add “wear gloves when installing” to his listing. Another seller was suspended for selling Nike shoes that were “not as described.” After he’d filed appeal after appeal proving the shoes were genuine Nikes, Stine’s team figured out the problem: some buyers complained the shoes were too small. That seller was let back on after promising to add a line to the listing recommending customers wear thin socks.

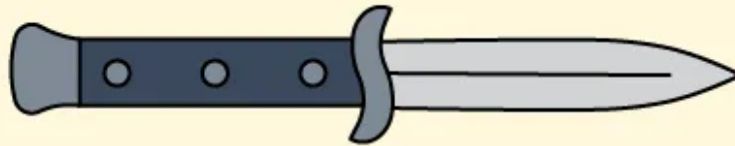
“Amazon is a clear monopoly that is somehow being allowed to destroy industry after industry.”

“That’s what we call ‘speaking Amazon,’” Stine says. “In my mind, I imagine a checklist, and it doesn’t even have to make sense. It’s just that the previous appeals hadn’t included this all-important proactive step they were going to take to prevent the complaint that the shoe was too tight.”

JC Hewitt, whose law firm frequently works with Amazon sellers, calls the system’s mandatory guilty pleas, arbitrary verdicts, and obscure language “a Kafkaesque bureaucracy with bad writing.” Inscrutable rulings emerge as if from a black box. The Performance team, which handles suspensions, has no phone number; there’s no one to ask for clarification. The only way to interact with them is by filing an appeal, and when it’s rejected, sellers often have no idea why. Sellers can call another Amazon department, Seller Support, but those workers can’t provide information about the Performance team and can offer only generic advice about what the seller might have done wrong.

The secrecy can be so frustrating that sellers have traveled to Seattle or Amazon’s London office to try to find a human, to no avail. One seller flew to Seattle from Shengzhou, China, and lived out of a Honda Pilot he bought on Craigslist while he wandered around Amazon’s offices trying to find someone to hear his case. The receptionist gave him the same phone number for Seller Support he’d been trying for weeks.

TYPES OF ATTACKS



The five-star bomb: A seller pays someone to write obviously fraudulent five-star reviews for a competitor's listings and hopes Amazon cracks down

Hijacking: Sellers who have their own brand should have their listings to themselves, but they often battle rivals who have obtained or counterfeited their products. The next-level move?

Hijack not just the product, but the entire brand.

Defacement: Sellers armed with the accounts of Amazon distributors (sometimes legitimately, sometimes through the black market) can make all manner of changes to a rival's listings, from changing images to altering text to reclassifying a product into an irrelevant category, like "sex toys."

Phony fires: Sellers will buy their rival's product, light it on fire, and post a picture to the reviews, claiming it exploded. Amazon is quick to suspend sellers for safety claims.

Kevin Harmon, who sells books and DVDs from his warehouse in Charlotte, North Carolina, calls his suspension last July "the worst month of his life." His account was

suspended and the \$20,000 in it frozen over a damaged *Lilo & Stitch* DVD and nine other items. After laying off employees and starting to liquidate his inventory, he railed against the company on Facebook. “Amazon is a clear monopoly that is somehow being allowed to destroy industry after industry,” he wrote. “They don’t crush you when you’re small. They wait until you’ve got employees and lease obligations and business loans and warehouses full of product, and THEN they reveal that they don’t need you anymore.”

But ultimately, it wasn’t the suspension that was most galling. It was the way Amazon kept responding with the same request for more information whenever he appealed. “I was caught in some kind of AI gear,” he says.

In reality, there were likely humans reading Harmon’s appeal, but they’re part of a highly automated bureaucracy, according to former Amazon employees. An algorithm flags sellers based on a range of metrics — customer complaints, number of returns, certain keywords used in reviews, and other, more mysterious variables — and passes them to Performance workers based in India, Costa Rica, and other locations. These workers choose between several prewritten blurbs to send to sellers. They may see what the actual problem is or the key item missing from an appeal, but they can’t be more specific than the forms allow, according to Rachel Greer, who worked as a fraud investigator at Amazon before becoming a seller consultant. “It feels like it’s a bot, but it’s actually a human who is very frustrated about the fact that they have to work like that,” she says.

The Performance workers’ incentives favor rejection. They must process approximately one claim every four minutes, and reinstating someone who later gets suspended again counts against them, according to McCabe and others. When they fall behind, Stine says, they’ll often “punt” by sending requests for more information, as Harmon experienced.

Asked about complaints that the suspension process is harsh and confusing, Amazon responded with a statement saying the company supports the businesses that sell through its platform. “In order to protect both customers and sellers, we have selling policies that all sellers agree to and we take swift action against those that violate them,” the company wrote. “We have an appeals process where sellers can explain how they

will prevent the violation from happening in the future or let us know if they believe they were compliant.”

There are plenty of justified suspensions. The prospect of an easily accessible global market attracts counterfeiters, money launderers, and fencers of stolen goods. Stine had a client who was suspended for trying to sell hand grenades, and another who thought he’d found the deal of a lifetime buying bagfuls of children’s costumes out of a warehouse in Salt Lake City, only to get suspended when the rightful owner reported the costumes stolen. She got him back on a technicality: the company had contacted the seller on the Amazon platform, a violation in itself. A typical seller, she says, he was more concerned about getting back on Amazon than about the fact that police might be waiting for him when he returned to the US from vacation.

Amazon’s ability to hide the chaos of its Marketplace from consumers is part of what made the company successful early on, says Marketplace Pulse’s Juozas Kaziukėnas. While eBay is obviously a bazaar, Amazon looks like a traditional retailer. In reality, a growing share of Amazon is also an open marketplace, one with mechanics that foster both intense competition and a retail-like experience. With Fulfillment by Amazon, all sellers have to do is ship their goods to Amazon’s warehouses; Amazon handles storage and delivery and bestows a Prime checkmark on their listing, a promise of speedy free shipping and easy returns. Behind the scenes, sellers compete with each other on price and a range of other metrics — mostly having to do with customer satisfaction — to “win the Buy Box” and become the default seller on a listing. Margins drop to zero so quickly on a popular listing that sellers seek out greener, more obscure pastures: niche categories like microfiber car wash mitts or gas fireplace logs.

“Dear Mr. Bezos,” they wrote. “We desperately need your help.”

Stine started playing this game in 2010. She was running a small public relations firm and needed an extra \$1,500 a month to pay tuition for her son, who has special needs. So she turned to the decision-making process she’d learned from a Tony Robbins cassette course 19 years earlier, when she grew tired of living in a basement in Queens and dating non-committal men and moved to Dallas: visualize the solution. The answer turned out to be buying books from libraries and closeouts, and reselling them on

Amazon. She soon realized she could sell pretty much anything at all, so she hit up local Targets armed with a barcode scanner on her lanyard and a phone in her armband. She used an app to check prices on Amazon to find goods she could resell for a profit. She became, in the language of the industry, a “scanner monkey.”

There are two types of sellers on Amazon. The first is the resellers: scanner monkeys like Stine, along with their cousins the product diverters, re-importers, and grey market tycoons. They play a hidden but important role in making Amazon the “everything store.” Brands that refuse to work with Amazon often find their products on the platform anyway through these back channels.

The second type is the “private label” seller. Rather than compete with dozens of other sellers all selling the same product on the same listing, they make their own brand, which gives them a listing of their own. Some of these sellers come up with original products and resemble traditional businesses, albeit based almost wholly on Amazon, but many simply slap a logo on a mix of trending goods sourced from China, creating eclectic catalogs of fidget spinners and cowboy boots, adult coloring books and survival gear. The result has been a Cambrian explosion of brands found only on Amazon selling largely identical products. Recently, their ranks have been reinforced by yet another generation of sellers, these ones based in China and with more direct access to factories.

“These schemes really require the mind of someone whose depravity knows no bounds.”

Though private label sellers still face competition from other sellers buying or counterfeiting their products and hopping on their listing, they are largely freed from fighting over the Buy Box. Instead, they find themselves competing in a new arena: Amazon’s search rankings. About 70 percent of searches on Amazon are for generic products, like “running shoes” or “milk frother,” rather than brands, and Amazon has made buying things so easy that customers often purchase the first thing with Prime shipping they see. If a seller can game Amazon’s algorithm to win a high spot for their brand, they can out-sell household names. But search placement is everything. Greer says there’s a common joke: where’s the best place to bury a dead body? On the 10th page of Amazon’s search results, because no one ever goes there.

Just as competition over the Buy Box spilled over into a proliferation of generic brands, the competition over search rank is creating its own unintended consequences: sellers competing not on price and quality, but on who can best sabotage the listing above theirs. And if the saboteur is skilled enough in the ways of Amazon, they can trap their rival in the surreal limbo of Amazon court.

Plansky had reported the fake five-star reviews as soon as he'd gotten them, and after he was suspended, he'd played by Amazon's rules and confessed to everything that could possibly be considered review manipulation. But in the end, it wasn't enough. Several days after filing his appeal, he received an email saying it had been rejected. Amazon won't read the same appeal twice, so now Plansky had to find another infraction to confess to. Unable to think of anything and utterly exasperated, he and Stine's team decided to email Amazon CEO Jeff Bezos — a last resort. "Once you've gone to Jeff, there's nowhere else to go," Stine says.

Where people used to mostly game Amazon's platform to rank higher, Stine says, now they game it to take each other out

Emailing the richest man in the world is actually the standard method of escalating an Amazon seller appeal. It's called a Jeff Bomb, or as Stine prefers, a Jeff Letter. "Dear Mr. Bezos," they wrote. "We desperately need your help."

It's probably not Bezos reading the emails, though McCabe says that during his time at Amazon, he was forwarded several appeals with only a question mark written on them, a signal of Bezos' displeasure. Generally, fortunate sellers will have a member of Bezos' staff take pity and respond.

Plansky's Jeff letter was never answered, but after he'd sent it, a fellow Amazon seller at a local meet-up gave him the name of someone "high up" in the company. He emailed them, and shortly afterward, he got his account back. (Stine maintains that it was the Jeff letter that did it.) All told, he estimates his suspension cost him about \$150,000 in sales.

Stine is aware that the suspension system is often unfair and needlessly bewildering, but she has faith in the system overall. Sometimes she likens it to Darwinian evolution, or the way governments shape societies through taxes and penalties. Except, in Amazon's

case, the ultimate goal is a “better buyer experience,” something so good you’ll never think of going to a brick-and-mortar store. The company, she says, has a “god’s-eye view,” and everyone it suspends is guilty of something, even if only out of naïveté. She sees herself as doing Amazon’s work, showing sellers how to reform their businesses to align with “the Amazon way.”

“Compliance,” she is fond of saying, “is the foundation of growth.”

But she’s begun encountering more and more cases like Plansky’s, ones where sellers are innocent even according to Amazon’s strange rules. They’ve been framed.



John Harris knew selling on Amazon was a “state of constant warfare,” and he had taken defensive measures. He sold survival gear — firestarters, compasses, combination firestarter-compass-watches with paracord wristbands — and in the world of Amazon, his account was a locked-down bunker with a panic room. He had trademarked his wares and registered his brand with Amazon, giving him a streamlined

method for booting hijackers off his listings. He'd even built his own software to instantly send out cease-and-desist letters the moment someone tried to steal his Buy Box.

Typically, the prompt legal threats were enough to scare off competitors, but one September morning last year, he woke to see an interloper had remained on his listings through the night. Strangely, Harris realized, they had also found a way to steal his own seller name, SharpSurvival. His account had been transformed into the generic Seller123. He reported the imposter to Amazon, as he'd done countless times before. But this time, nothing happened.

Over the following days, Harris came to realize that someone had been targeting him for almost a year, preparing an intricate trap. While he had trademarked his watch and registered his brand, Dead End Survival, with Amazon, Harris hadn't trademarked the name of his Amazon seller account, SharpSurvival. So the interloper did just that, submitting to the patent office as evidence that he owned the goods a photo taken from Harris' Amazon listings, including one of Harris' own hands lighting a fire using the clasp of his survival watch. The hijacker then took that trademark to Amazon and registered it, giving him the power to kick Harris off his own listings and commandeer his name.

"All of a sudden brands could take people down like *that*," Stine says, snapping her fingers

"This was very, very, very well orchestrated and researched," says Harris, a pseudonym he wanted to use in order to avoid further attacks from rivals. "From a customer's perspective, the scam was very seamless. The customers thought they were still buying the stuff from us."

Instead, according to court documents, customers began receiving shoddy knock-offs of Harris' survival gear, and pillorying his products in their reviews. He sent dozens of emails and appeals to Amazon trying to explain the situation as he watched his wares fall in Amazon's search, only to be told he'd have to work things out with the rightful brand owner. Then came the retaliation: tired of Harris's futile attacks, the imposter booted Harris off his listings entirely, reporting him to Amazon for infringing on his own brand. "We consider allegations of intellectual property infringement a serious matter," warned an email from Amazon.

Attacks like this are increasingly common on Amazon. More customers and more sellers mean more competition for the top search result and more to gain by winning it. There may be half a billion products on the platform, but there are only so many high search slots and Amazon Best Seller badges. Last year only about 20,000 sellers — 0.3 percent — had more than a million dollars in sales a year, which is the point at which Kaziukenas says it becomes a viable full-time business. Where people used to mostly game Amazon's platform to rank higher, Stine says, now they game it to take each other out.



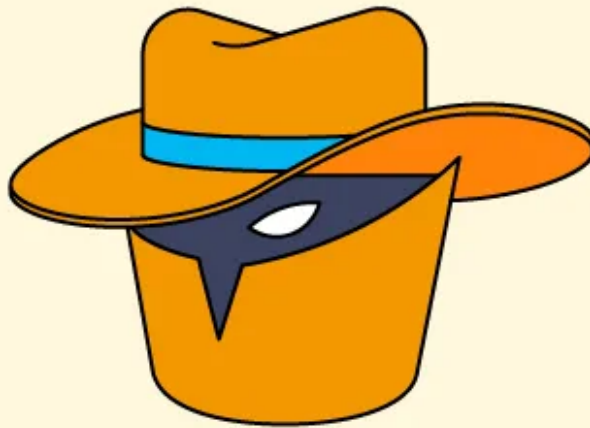
In the intensely competitive world that Amazon has built, any efforts by the company to clean up seller misbehavior are quickly turned into weapons for sellers to wield against each other. The crackdown on fake five-star reviews begat the five-star bomb Plansky was hit with. After hoverboards started exploding in 2016 and Amazon became more vigilant about safety claims, sellers started buying each other's products, setting them on fire, and posting photos in the reviews. The scheme that ensnared Harris made use of a program called "brand registry," which Amazon overhauled last year to give companies more effective ways to guard against counterfeiting. Any seller with a trademark can

register their brand with Amazon and get tools for quickly taking down sellers they claim are infringing.

“All of a sudden, brands could take people down like *that*,” Stine says, snapping her fingers. “I don’t know why Amazon naïvely thought that that was all they would do, that people wouldn’t use it to take down their enemies.”

Scammers have effectively weaponized Amazon’s anti-counterfeiting program. Attacks have become so widespread that they’ve even pulled in [the US Patent and Trademark Office](#), which recently posted a warning that people were making unauthorized changes through its electronic filing system, likely “part of a scheme to register the marks of others on third-party ‘brand registries.’” Scammers had begun swapping out the email addresses on their rival’s trademark files, which can be done without a password, and using the new email to register their competitor’s brand with Amazon, gaining control of their listings. As Harris encountered, Amazon appears not to check whether a listing belongs to a brand already enrolled in brand registry. Stine has a client who had trademarked their party supply brand and registered it with Amazon, only to have a rival change their trademark file, register with Amazon, and hijack their listing for socks, which had things like “If you can read this, bring coffee” written on the soles.

SAFE SHOPPING ON AMAZON



According to Stine, look out for:

Newly launched sellers, especially if the account hasn't been around for at least six months. They could be a pop-up that will vanish after you order.

Long shipping times. If a product

will take several weeks to ship, without a clear reason, it's a sign the seller could be a dropshipper, or that they plan to take the money and run.

An unusually high number of reviews. Reviews are typically 1 to 2 percent of actual sales, Stine says, so unless a product has been around for years or is a huge seller, it's unlikely to have thousands of real ones. Also make sure that the reviews are about the product listed. Some sellers find abandoned listings and repurpose them.

Details that seem a little off. Know what the product you're buying is supposed to look like, especially if it's a popular toy, luxury good, or easy-to-manufacture commodity. Double-check yours when it arrives

DOUBLE-CHECK YOURS WHEN IT ARRIVES.

Asked about seller attacks, Amazon said bad actors represent a small fraction of activity on the site, and that the company uses machine learning and other tools to stop them. Regarding the brand registry attacks, Amazon said it is “working closely with brands, the USPTO, and others to continue to strengthen our protections and stay ahead of these bad actors.”

“These schemes really require the mind of someone whose depravity knows no bounds,” says Brad Tucker, who handles most of the infringement claims for Stine. His previous job was investigating credit card fraud; the schemes he’s seen on Amazon are more devious, more creative. One of his recent favorites involved a mug that read “recently promoted to grandpa.” Someone reported the main photo of the mug for IP infringement, causing it to be taken down and an image of a grandpa in a rocker to become the main image, which was a violation of *another* Amazon policy that doesn’t allow images without a white background. As the listing fell in Amazon’s search results, the mug pirate made their own listing, with the original image, priced slightly higher. Brad thinks the plan was to fill any orders from the demoted listing, netting a couple dollars in profit.

There are more subtle methods of sabotage as well. Sellers will sometimes buy Google ads for their competitors for unrelated products — say, a dog food ad linking to a shampoo listing — so that Amazon’s algorithm sees the rate of clicks converting to sales drop and automatically demotes their product. They will go on the black market and purchase or rent seller accounts with special editing privileges and use them to change the color or description of their rival’s products so they get suspended for too many customers complaining about the item being “not as described.” They will exile their competitor’s listings to an unrelated category — say, move a product with a “Best Seller” badge in the office category to lawn care, taking the badge for themselves.

“They took a kids toy made for six to 12 year olds and they changed it to a sex toy,” one outraged seller told me. This is a common move, as Amazon hides products in that category unless the customer clicks a button saying they’re over 18. Another seller who had been battling counterfeiters of his childproof locks and outlet covers received a threat in Chinese saying that, while it is hard to build a listing like his, it would be easy to destroy. “Be cautious,” the message warned. Later, he too was banished to sex toys. “It’s

suppressed from search results unless you literally search for a “sexual child proof door lock,” he says. (He had no sales.)

The viciousness of competition can be surprising given the items being fought over, but Amazon’s scale changes the traditional dynamics of counterfeiting. Rather than knock off a luxury good, it can be lucrative to go after the mundane commodities people buy every day without much thought: USB cables, cutlery organizers, various extruded plastic things. Stine has a client whose shoe tree business was barraged with phony infringement claims, hijackings, and threatening phone calls that she ended up referring to the FBI. Surveying crib cushions and safety locks of Amazon’s “baby” category, Stine sees a world of chaos and conflict. “All of these sweet little products are definitely potential targets,” she says. “We tell people: whenever you’re successful on the Amazon, you have a target on your back.”



Paul Miller has built a good business selling padded over-ear headphones and has nothing but praise for Amazon, which he says rescued him after his restaurant business

went under. Nevertheless, he must constantly battle phony infringement claims and threats. He lost \$10,000 when he was taken out for infringement right before Prime Day which, along with Black Friday, always sees a surge in attacks. Recently, Miller reported an imposter for infringing on his cartoon unicorn headband headphones and was hit with a retaliatory infringement claim citing an unrelated patent for a plush unicorn toy. “Our technical team will return a devastating blow to CozyPhones,” warned a message in Chinese. “The Amazon circle is very small. Evil deeds must be returned in kind.”

Recently, the fierce competition of Amazon’s Marketplace has given rise to outright bribery. In September, [*The Wall Street Journal*](#) reported that Amazon was investigating employees in the US and China for leaking internal data to sellers in exchange for bribes. A month later, [the paper reported](#) that one employee had been fired, and customers who had their emails leaked had been notified.

The Verge has viewed screenshots of WeChat posts offering troves of Amazon data and spoken with sellers who have encountered brokers offering internal access, some after Amazon announced it had fired the employee. In one conversation viewed by *The Verge*, sellers shared what appeared to be customer emails and phone numbers, valuable to sellers as a way of contacting shoppers and trying to get them to change their reviews. Several price lists viewed by *The Verge* included offers of customer contact information and data on their orders, new seller accounts, and data on other sellers. Another offer of internal reports advertised itself with the promise “Spy on your competitors!”

“That’s the kind of information Amazon will never give you and would be worth its weight in gold,” Stine says, after viewing the price lists. It’s how a seller might end up singling out a particular pair of novelty socks as a lucrative candidate for hijacking. “They’ll get this data, and it will be their target list.”

The Verge has also spoken with a broker promising guaranteed reinstatement in three working days through contacts on the Performance team, and viewed screenshots of the interface the Performance team uses while suspending and reinstating sellers. Stine has heard rumors of sellers paying thousands of dollars to get reinstated instantly, something that could only happen with intervention from someone inside the company.

Asked about the apparent market in internal data and reinstatements, Amazon responded with a statement saying the company has a strict code of conduct for employees and audits access to information. “We have zero tolerance for abuse of our systems and if we find bad actors who have engaged in this behavior, we will take swift action against them, including terminating their selling accounts, deleting reviews, withholding funds, and taking legal action,” the company wrote.

This black market is the only thing consultants like Stine and McCabe can't compete with. "If you're a seller, why wouldn't you just want to pay a lot of money, if somebody can guarantee 'I will have you back up by tomorrow'? Most sellers would pay almost anything," Stine says. "We can't promise that."



Of the two-dozen sellers I spoke with, all of them described their time in suspension court as nightmarish and said they planned to get back to selling on Amazon as soon as they could. “Not being on Amazon doesn’t feel like an

option,” Plansky says. His listings have dropped in search rank during his time offline. To regain his place, he’s buying Amazon ads.

The trap Harris had been caught in was too sophisticated to resolve with Amazon, and Stine referred him to an Army-prosecutor-turned-patent-attorney named Jeff Breloski. Based in Atlanta, Breloski stumbled into the world of Amazon after speaking at a seller conference, and he now estimates that Amazon cases represent 80 percent of his practice. He’d actually encountered Harris’ hijacker before, a man named Georgi Marhasin who lives in Toronto and had used a similar strategy to steal the listings of a shoehorn seller in Passaic, New Jersey, and a seller of magic tricks in Brandon, South Dakota. (Shoe paraphernalia, for whatever reason, seems to be a favorite target of the Amazon underworld.)

In May, the District Court of Northern Georgia ordered a temporary restraining order forbidding Marhasin from selling the knock-off watches and firestarters, which he ignored. Amazon, too, would only act on a final court order. On October 31st, more than a year after Harris’ listings were first hijacked, the court ordered a default judgment against Marhasin, awarding Harris \$2 million in statutory damages. Harris says he can once again sell on his listings, but Amazon won’t re-register his brand until the patent office website updates, so he’s had to deal with hijackers. He has little hope of recovering the damages.

Marhasin did not respond to repeated requests for comment sent to the emails listed on his trademark applications and to his profile on LinkedIn. An email sent to the address listed on the site for MarhasinWarehouse, a bare-bones page with photos of Harris’ and other goods for “today’s fast paced, digital world,” bounced. The site now appears to be offline.

“I figure I’m going to get everything I can out of it while the getting’s good”

For most sellers and a growing number of traditional businesses, Amazon is so big, so much the default place people go to shop, that they find ways to tolerate constant sabotage as just another cost of doing business. In a sense, the chaos of the platform fuels its own growth. The only way to get the tools to police your brand on Amazon is to

join, as Nike did last year, after years of resistance. When sellers get in trouble for customer complaints or attacks from counterfeiters, the solution is often to more fully meld with Amazon — to enroll in its fulfillment program, to purchase Amazon's labels to make sure product isn't being diverted, or even make their brand exclusive to Amazon, which brings special protections. Many sellers come to Amazon looking for a new distribution channel for their retail business or a way to jump-start their company, but they find that Amazon has become their advertising firm and their storefront, their warehouse and their shipper. For some, it's their bank and the intermediary that collects their sales taxes. It makes the rules and enforces them.

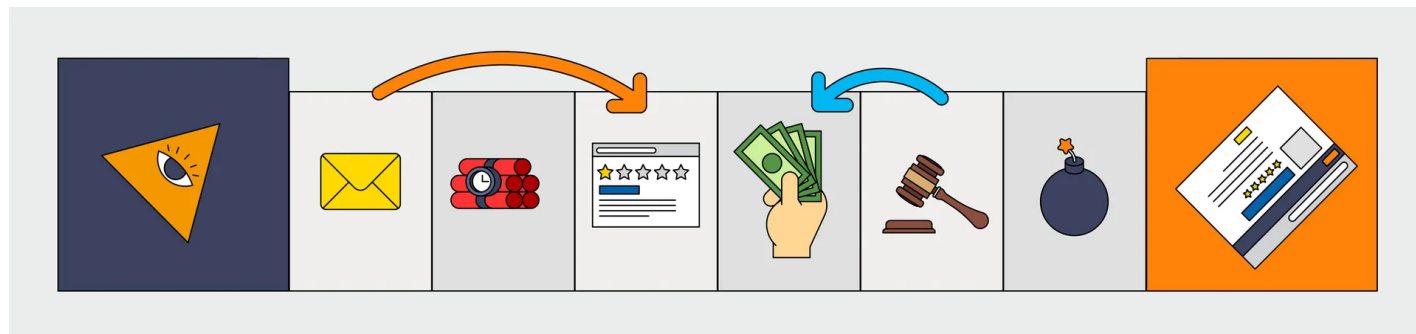
It's an arrangement that suits Amazon, which is able to outsource the costs of managing inventory and vendor relationships. Revenue from seller commissions and other fees is growing far faster than Amazon's online sales overall, with the company taking in about \$19 billion in the first half of this year, a 41 percent increase over the same period the year before and representing about 18 percent of the company's total revenue. Where antitrust concerns have arisen, they chiefly concern Amazon's practice of competing against other sellers with its own brands. It's harder for regulation to grasp a company that, rather than monopolizing a market, has become the market itself.

As for Stine, business is booming, and she says Amazon has been a force for good in her life. She uses it constantly for everything from groceries to appliances. As we're speaking, she gets a Kindle alert for a new James Patterson novel. Selling on its platform got her out of a tight spot. She published books on Amazon selling using Amazon's tools. Now she's built a business interpreting its rules and systems, and she's flying around the world to speak at gatherings of Amazon sellers. She thinks the company will only grow, that it will expand its business supply marketplace, providing coffee to offices and machinery to factories, and that one day, we'll wake up, and it will be like *Demolition Man*, says Stine, a sci-fi fan, where Sylvester Stallone's character comes out of hibernation to find every restaurant is Taco Bell.

She recently learned that Amazon may make seller consultants like her part of the site. She doesn't know exactly what it will look like yet — maybe a list of Amazon-approved finance, advertising, and other support services on the seller dashboard — but she's eager to join. She's done several interviews explaining her business already, even flying to Seattle of her own volition to meet with Amazon representatives. She's also wary. She

knows how Amazon works, and she's given the company a lot of data about her business.

"I figure I'm going to get everything I can out of it while the getting's good," she says, reaching for another sci-fi reference. "I mean it's like the Borg. Someday, we will all be assimilated." ■



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EXHIBIT E

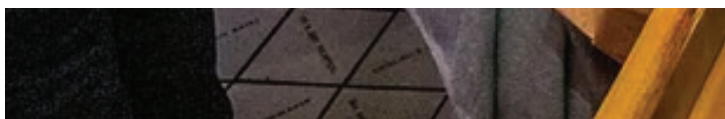
Amazon

The Seattle Times

Amazon abruptly banned Washington state treat-maker Chukar Cherries. Months of appeals went unheeded

Sep. 27, 2021 at 6:01 am | Updated Sep. 27, 2021 at 5:49 pm





1 of 3 | Customers look at the Chukar Cherries stand during a busy midday rush at Pike Place on Thursday, Sept. 23, 2021. (Daniel Kim / The Seattle Times)

By [Katherine Anne Long](#) 

Seattle Times business reporter

Chukar Cherries suddenly couldn't sell a single cherry on Amazon.com.

The Prosser, Benton County, company, whose chocolate-covered fruits and nuts have become gift-basket and trail-mix [standbys](#) among Washingtonians since the company's founding 33 years ago, was kicked off the Amazon marketplace on July 19, courtesy of an automated email.

"Your Amazon.com selling privileges have been removed," the email read. "Your listings have been disabled. Funds will not be transferred to you but will be held in your account."

Amazon's fraud-prevention algorithms had concluded that Chukar — which has been selling on Amazon's marketplace since 2003 — was linked to another account, based just north of Shanghai, that the commerce giant had deactivated for violating Amazon's policies. The seller account Chukar was supposedly associated with, [DBING](#), doesn't sell fruits, nuts or seemingly much of anything at all: It has just nine customer reviews, nearly all of them negative, with six shoppers saying they never received what they ordered. (DBING did not respond to questions sent through Amazon's customer-service portal; no other records of the company could be found.)

Nor does Chukar have business ties to China. The company uses U.S. ingredients and employs local workers.

"The whole thing just doesn't make sense," Chukar Cherries founder Pam Montgomery said. "But that's kind of Amazon for you."

Chukar's experience exemplifies how even as Amazon [makes public-relations hay](#) out of third-party sellers' successes, it locks sellers into what can be a precarious, automated business relationship. Algorithmic errors and malicious competitors can lead to financially devastating account suspensions, or suck sellers into a grueling appeals process. Sellers may never be told what they did wrong or how to fix it.

“It is really critical to be on Amazon. It identifies you as a substantial business,” Montgomery said. “But it’s not easy.”

Amazon reinstated Chukar’s account on Friday, after The Seattle Times asked why Chukar hadn’t been able to sell any merchandise on Amazon.com for 67 days. In a statement, a spokesperson blamed a “bad actor” who had “created a false relationship to this seller, which led us to take action on this account.”

Amazon declined to specify who the bad actor was, what steps the person had taken to link the two accounts or what they might have hoped to gain from doing so.

“We are sorry for the poor experience,” Amazon spokesperson Cecilia Fan said in a statement.

Three marketplace consultants who spoke with The Seattle Times about Chukar’s case said whether or not a “bad actor” was at the root of the problem, much of the blame nevertheless lies with Amazon’s error-prone fraud detection software, difficult appeals system and paucity of human-powered account review, they said.

The Amazon marketplace’s sheer size — there are an estimated six million third-party sellers on Amazon.com, generating nearly \$300 billion in annual sales — has led Amazon to rely on automated mechanisms for catching and punishing sellers breaking the law or violating its terms of service.

Amazon says it spent more than \$700 million last year fighting fraud, abuse and counterfeit products on its platform. In recent months, it has taken a particularly close look at Chinese sellers. Since May, Amazon has banned nearly 55,000 Chinese sellers from the platform, largely for soliciting fake reviews.

Talk to us

Share your questions, tips and insights about Amazon.com by email at business@seattletimes.com and via the encrypted Signal messaging app. To learn more about how to contact reporters confidentially, visit <https://st.news/newstips>.

Amazon’s crime-fighting technology isn’t perfect, though. In its quest to uproot nefarious sellers operating through multiple accounts, Amazon’s algorithms generate “a

tremendous number of false positives,” said Lesley Hensell, the co-founder of third-party seller advisory firm Riverbend Consulting. “We work with clients on a daily basis who have been linked to accounts where either there’s a tangential linkage or there’s really no link at all.”

Amazon’s software looks for connections between accounts by trying to match business and warehouse addresses, banking information, internet service providers, IP addresses and the identities of sellers’ vendors, said Chris McCabe, the founder of consulting firm ecommerceChris and a former investigator of Amazon seller fraud.

Sometimes Amazon’s software can be overzealous. Hensell was able to get one of her client’s accounts back online, for instance, after explaining to Amazon that the business likely operated out of the same coworking space as another seller that had violated Amazon’s policies. Another client was suspended after Amazon linked the account with an account owned by the client’s ex-boyfriend of many years.

“Amazon’s technology to detect this definitely has flaws,” Hensell said.

Once Amazon has determined that two accounts are connected, it can be difficult to prove that they’re not, McCabe said. That’s what happened to Chukar Cherries.

Chukar general manager Tim Oten spent more than two months trying to prove his company had no relationship with the Chinese seller, DBING. Oten filed near-weekly appeals with Amazon, sending the retail behemoth information about Chukar’s business license, physical locations, authorized resellers and employees.

Over and over, he received an automated response: Amazon had “received your submission but (did) not have enough information to reactivate your account at this time,” according to correspondence reviewed by The Seattle Times. Oten called a helpline for sellers, only to be told by the representative that there was no one he could speak with who could help him understand what information Amazon needed to reinstate his account, Oten said.

Meanwhile, the threat of being permanently banned from selling on Amazon loomed.

“If we cannot substantiate the claim, your account will not be reinstated and this account will not be allowed to do business on Amazon in the future,” Amazon told Chukar.

Sales on Amazon make up less than 5% of the company's revenue, an amount equivalent to "losing one of our No. 1 customers," Oten said. "Like losing Bartell's, REI or Whole Foods." (Amazon purchased Whole Foods in 2017; Montgomery said Chukar's relationship with Whole Foods remains positive.)

Bad actors do exist on Amazon, including many that have learned to weaponize Amazon's fraud-detection systems against their competitors.

Federal prosecutors last year alleged that [10 Amazon employees took bribes](#) as part of a conspiracy to boost the sales of some third-party sellers, in part by flagging their competitors' accounts for fraud, which had the effect of suspending those accounts. A marketplace consultant and former Amazon employee [pleaded guilty](#) to involvement in the scheme earlier this month.

"Amazon has created a system where sellers know how to get away with abuse," said a former Amazon retail executive-turned consultant, who asked not to be named so as not to jeopardize his clients' relationships with Amazon. Amazon's decision to rely primarily on algorithms, rather than human beings, to police the platform is understandable, given its sheer size, he said. But, he said, "the system is not working well."

Chukar Cherries founder Montgomery said she's not sure how much the company lost in sales while the company was blacklisted from the platform. Regardless, she's not interested in seeking monetary compensation from Amazon. The company does the bulk of its business in the lead-up to the holidays, so she said she's mostly just glad to be back on the platform before the shopping season begins in earnest.

She would, though, like Amazon to reexamine its fraud detection algorithms and hire more people to work directly with sellers whose accounts have been deactivated. (Amazon says sellers can call support representatives 24/7, and that 80% of sellers' issues are resolved in less than a day.)

Amazon founder Jeff Bezos may also have some soul-searching to do, Montgomery added.

"He's hurting a Seattle business, and Seattle has supported him," she said.

"Washington has supported him. That's terrible."

Katherine Anne Long: 206-464-3229 or kalong@seattletimes.com; on Twitter: [@_katya_long](https://twitter.com/_katya_long).

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EXHIBIT F

April 20, 2023

Anne Mason

New Braunfels, TX

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones,

Upon learning that Ed Rosenberg pleaded guilty to a crime involving conspiracy to commit commercial bribery, I was immediately compelled to write this letter in hopes that it provides the court a greater understanding of Ed and the positive impact he has made on our family's and countless others' lives.

My husband Matthew Jacobs owns e-commerce business Blinke.com, LLC which has been selling on Amazon Marketplace since 2009. Within a few years on the rapidly expanding marketplace, Amazon sales accounted for half of our gross revenue. The products Matt sells are event and celebration focused, so the business is seasonal, with the profits of 4th quarter sales making up for the leaner, slower months of the first half of the year. We have two children, and since they were born, the business has supported our family.

In October of 2019, Amazon suspended Matt's store. For the first few days of the suspension, Matt tried everything he understood Amazon wanted him to do to reinstate his store. Nothing worked, and all communications to Amazon yielded what seemed to be standard form letters. He could not reach anyone in person, and we did not understand the reason behind the suspension. He followed the directions each form letter advised, to no avail. We were panicking, as every day of suspension during our money making quarter impacted the business dramatically.

Contributing to our panic was the surreal nature of the communication, or lack thereof, with Amazon's seller support or suspension department. There was no phone communication for this at all, only standard form appeals on the interface. The most surreal part of it was that when we would finally receive a response, usually many days after our request, it seemed as if no one had actually read our explanation of the situation. It did not seem as if they were addressing our specific situation, but just replying with more form letters.

Our vendor whose products seemed to be the ones Amazon had flagged in our account even wrote a letter to Amazon to confirm that we were licensed to sell them and to request that our suspension be lifted. This yielded no result.

We researched and discovered that a growing industry of Amazon consultants had emerged in order to assist Amazon sellers in navigating suspensions and other Amazon issues. We found a consultant online and paid for their services up front, desperate for any guidance and assistance to save our business, pay our mortgage and maintain our children's wellbeing. And beyond that, we were desperate to simply understand why our account was suspended, given that it seemed the issues revolved around products we were licensed to sell.

The first consultant we hired further compounded our desperation, as they also communicated only by email, often with days' delays and a seeming lack of regard and understanding for the desperation of our family's situation. Also, most of the advice and direction they provided was what we had already tried, and absolutely no progress was made. By then, we had lost weeks of our best sales period, and we knew we had to try something different.

Finally, we discovered Ed Rosenberg and ASGTG. And everything changed for us! First, Ed himself spoke at length with my husband, deeply concerned and compassionate and clearly understanding what we were going through. Second, he immediately put a process in motion of gathering all the details of our situation, our business, our suspension, the record of communication we had had with Amazon and more. He assigned his staff to our case and remained involved for the duration. He and his staff were so prompt in responding to us, constantly initiating new actions if one didn't work—and above all, they were so human and compassionate and caring and kind! The relief we felt at finally being heard and understood was enough to bring us to tears. There is no way anyone could fake that level of human connection and understanding, and we knew at once that we were in the best hands.

I remember immediately making more progress with Amazon than we had for the month before retaining Ed and his company. And if I recall correctly, it took less than two weeks before my husband received a phone call from an actual human being at Amazon. Between what we learned over the course of our suspension and that phone call, it seems as if almost all the suspension appeals and communication had been fielded by Amazon AI/bots. And that the nuance of our situation—our licensed vendor was owned by another vendor which had just been bought by yet another—was too complex for the AI/bots to process and make sense of.

Ed Rosenberg had achieved what until then seemed impossible—to connect us with a human being at Amazon who could understand and then explain what had happened. And upon understanding our situation, the Amazon staff member advised Matt not to tag on listings anymore in order to avoid suspensions like this in the future. Matt agreed, gratefully, and he was able to immediately begin selling on his Amazon store again.

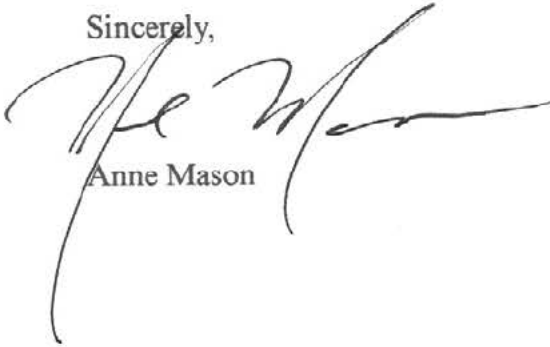
Ed was so happy for us and spoke with both of us afterward. We were and are SO grateful to Ed for managing our appeal process and for finally getting us through to what seemed an impenetrable wall at Amazon. Since that ordeal, Matt has done everything he can to remain in strict compliance with Amazon's policies, and in many cases, he has been more conservative than not, in order that he doesn't risk the chance of suspension again.

During and shortly after our suspension, we discovered an entire community of Amazon sellers who literally owe Ed their livelihoods after having experienced similar and often worse than what we did in terms of loss of revenue and inability to communicate with Amazon to understand how to get their accounts reinstated. Ed runs a Facebook group and has an email list with which he shares compliance guidelines and other valuable advice to help sellers maintain good standings with their accounts and pitfalls to avoid.

Ed Rosenberg is a warm, generous, caring, compassionate and tireless advocate for small business owners like us. In this ever changing world increasingly dependent on AI, he is desperately needed and relied upon to navigate uncharted and unprecedented territory in the realm of e-commerce. Until one has experienced it, it is difficult to conceive what it is like to realize that your family's future is almost entirely dependent on the understanding and response of a bot. It felt like a nightmare. Ed brought the human solution to our ordeal.

I respectfully request leniency for Ed in this case. Humanity truly needs men like Ed in the world, now more than ever. I earnestly believe that its future depends on it.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Mason", written in a cursive style. The signature is positioned above the printed name "Anne Mason".

Anne Mason



SF Trading Online Ltd

[REDACTED]
Sherwood Energy Village
Ollerton.
NG22 9FD

05 May 2023

For the attention of His Honour Judge Richard A Jones

We are a married couple from the United Kingdom who are Directors of a small commercial company selling party goods and confectionery which trades on Amazon UK. We have a small workforce who are all dependent on us for their jobs, many are single women bringing up children on their own so their jobs are very important to them.

We describe ourselves as socially responsible and we provide flexible working for our workers so that they are able to work hours which allows them to raise their children. They can take time away from work to attend appointments such as doctors and school events, which allows them to enjoy a positive work life balance.

Having worked with Amazon for a number of years, we have come to understand what the platform can offer us and also what the negatives are and we have always traded legally and carefully to ensure that we do not expose ourselves to any unnecessary difficulties.

During November 2019, our Amazon account was immediately suspended, with no notice and no opportunity to submit any evidence before the suspension. The first we were aware was that we were unable to access our account.

In due course we received a notification that the account had been suspended because someone had submitted a complaint against us accusing us of selling counterfeit products. This was entirely untrue and there was no evidence that demonstrated that we had done anything of the sort. Following our investigations, we discovered that a competitor had submitted this claim against us and also all the other sellers on this particular listing.

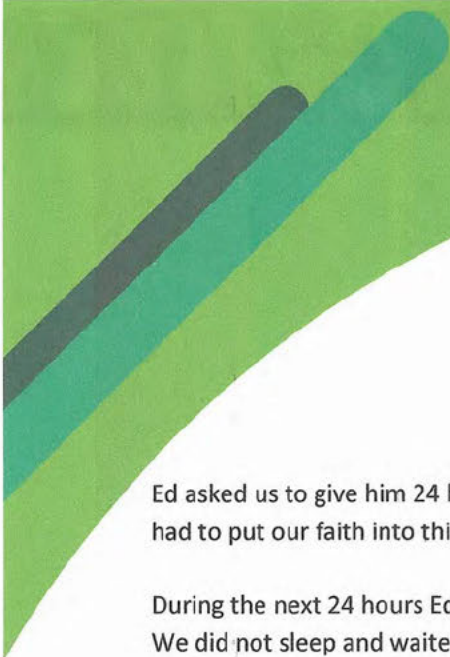
We submitted an appeal supported by the manufacturer of the product that was in question together with invoices clearly showing that we had purchased this product directly from the manufacturer. Despite this, Amazon responded to this and the numerous appeals that we submitted by stating that we had not submitted enough evidence. Our suppliers contacted the competitor and requested that they immediately submitted a retraction of the complaint otherwise they would close their account and stop selling to them. The competitor submitted 3 requests for the complaint to be removed but this was not acted upon by Amazon.

By this time, we had lost almost £100,000 in trading revenue across a 3 and a half week period and November is the most important month of the year when we rely on turning over our highest amount of money and this was not going to happen as a result of this bogus claim. We were fast approaching a situation where we would have no alternative but to close down our business and make everyone redundant.

I had spent weeks trawling the internet looking for solutions and had joined many Facebook groups hoping to find someone who might be able to help us.

Ed Rosenberg made contact with us and asked us to zoom call with him to explain what had been happening. The call was very emotional for us. It was literally our last chance to try to save the business and save the jobs for our work force.

At no time did Ed ask us for any money in exchange for any service, he simply asked us what had been going on and we had no reason to do anything else other than tell him the exact facts.



Ed asked us to give him 24 hours and he would help us. We had no other options available to us and we had to put our faith into this offer to help.

During the next 24 hours Ed kept in touch with us and reassured us that the situation would be resolved. We did not sleep and waited for the response. During the following evening Ed sent us a message and told us that the situation would be resolved very soon and that our account would be back open again shortly, and that is exactly what happened.


We owe Ed a huge gratitude for his assistance. It should not have been needed and Amazon should have had a better system for dealing with bogus complaints which quite frankly was clearly going to cause them huge difficulties in addition to those they submitted the claim against.

Since this time we have maintained contact with Ed Rosenberg and his support and care that he offers to anyone selling on Amazon is commendable. We have never witnessed anything other than the highest integrity in how he manages any situation and we have no hesitation in providing this statement on his behalf.

Should you require any further information about this situation, please do not hesitate to contact us and I can confirm that this is a true and accurate account of what happened to us and our relationship with Ed Rosenberg.

I know that Ed pleaded guilty to a crime, but please give him some consideration for all the good he has done for us and many others.

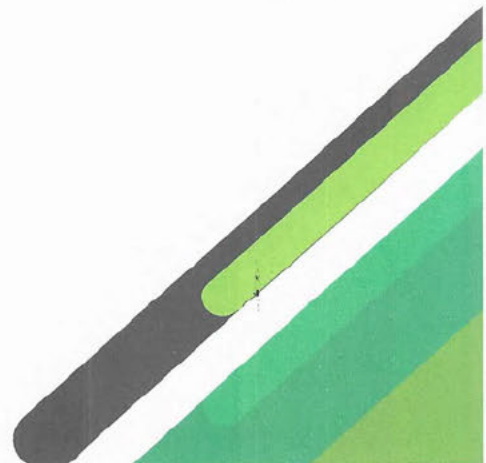
Yours sincerely



Yours sincerely,

A handwritten signature in black ink, appearing to read "Sue and John Clifford". The signature is written in a cursive, flowing style.

Sue and John Clifford

Three lines of text that have been completely redacted with black bars.

Hon. Richard A. Jones
U.S. District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones,

I am writing this letter for you to understand and consider the type of person Ed Rosenberg truly is as you are deciding how to punish him.

The first 2 quarters of 2019, my Brand was doing extremely well on Amazon. Our Company consists of 9 employees, and we create and develop innovative small kitchen appliances that sell direct to residential & business consumers in The US & Canadian Markets. It so happened one day, without any warning, we received a notification that our main selling products, (and main source of income) were removed from the marketplace. We've spent hours upon days and weeks, trying to understand why they were removed, and received no concrete explanation. We were going in circles and whatever Amazon support "thought" was the issue, we followed their instructions to submit what was needed, but it all went in vain. Every day, we had to start again with a new support agent, and it was extremely stressful. We had over \$100,000 in inventory in FBA warehouse that was sitting idle for several weeks. We lost sales, money and even had to cut down on employees. The communication with Amazon Support was horrendous.

As there was nowhere else to turn, I contacted Ed Rosenberg for the 1st time to ask for help. I never met him or spoke with him prior to this issue. I explained to Ed my frustrations and how our Business was on the brink of failing if this issue continues. Ed sympathized with me and said he will try his best to help me. I asked what the cost was, and he said a few hundred dollars, but no need to pay unless he can help.

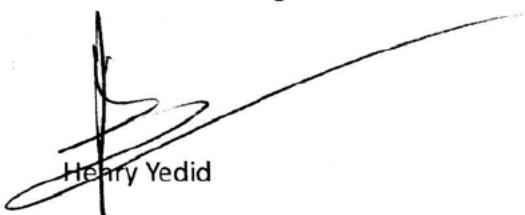
Aside from all the daily back and forth, I want to point out an event that clearly depicted the kind of person I was dealing with. It was a Thursday night around 1:00 AM. I got a phone call from Ed. I couldn't understand why he was calling me at such a late hour. I picked up the call (half sleeping), and Ed says "I was thinking- maybe we can record a Skype Call on Video, and perhaps you can elaborate on your story and frustration. Then, I can try and send it out, and hopefully it will reach the right contact in Amazon that will clarify what the issue is." I was taken aback that he was thinking of me at such a late hour and truly cared to help me personally. I could not believe, for a measly \$300, that wasn't even paid yet, he spent countless hours and days and weeks personally helping my case. This was not a business practice. This was a true friendship with a man I never even met in person.

Incredibly, about a day after the Video, I received a call at around 9 PM from an Amazon Account Executive. She asked if I had time to talk, but I was not able to at that time. I had no idea that she was a high rank in Amazon, nor did I know what the call was about. We arranged to have the call the next morning at 9 AM EST. On the call, the account executive was open to hear about my frustration, and she told me EXACTLY why we were removed from the marketplace. It was a completely different issue than what Seller Support has been saying all these months. This was the 1st time, we actually understood what happened, and we were able to rectify it on the call.



This was the greatest moment for our Company and could not believe how Ed was able to help us with his dedication, care, thoughtfulness, and sympathy. No words can express that gratitude we have towards Ed as this saved our business.

I don't think anyone would ever take on such a case for \$300 and spend hundreds of hours tirelessly mentally thinking on how to help a single small company like mine.

Ed was like an Angel sent from above.



Henry Yedid

BRONSTEIN, GEWIRTZGROSSMAN, LLC

60 EAST 42ND STREET, SUITE 4600, NEW YORK, NEW YORK 10165

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones:

I hope this letter finds you well. I would like to start by introducing myself. I am Managing Member of the law firm Bronstein, Gewirtz & Grossman, LLC. We specialize in securities and consumer class actions. After graduating Harvard College and Harvard Law School, I worked as a litigator at Skadden, Arps, Slate, Meagher & Flom, LLP for eight years. I am a member of the New York State Bar, as well as the bars of the United States District Courts of the Southern and Eastern Districts of New York and the Second Circuit Court of Appeals and have served in many different U.S. District Courts as Pro Hac Vice. While I obviously do not condone criminal behavior, I do want to take a moment to write about and inform you of Ed Rosenberg's truly admirable traits. I understand he has plead guilty to conspiracy to commit commercial bribery. Without in any way being dismissive of the gravity of Ed's mistakes, that is not who he is.

In my experience, Ed is a kind and compassionate individual. He has always been there for me and the community when needed. Ed is a well-known businessman and Amazon consultant in the community. Over the years he has assisted, for no charge, perhaps a dozen of my clients facing partial or complete closure of their businesses by Amazon.

In March of 2016 Mr. Rosenberg spoke at a conference geared towards young entrepreneurs in attempt to help them grow and succeed. The main point of his speech was Amazon compliance and the importance of following the rules on Amazon. People claim he was the first one there and the last to leave. He even helped clean up afterwards. I encountered Ed at a number of similar meetings and forums where Ed (pro bono) spoke to young entrepreneurs about how to build a business on moral and compliant footing.

We are all capable of making poor choices, and it is up to us to learn from our mistakes and move forward in a positive direction. I know Ed is taking steps to make things right, and I hope that he is given the opportunity to do so.

To reiterate I believe that Ed is a moral, good-hearted person. I have no doubt that once this process is complete, he will continue serving the community as he has for so many years.

Respectfully yours,


Peretz Bronstein

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Esteemed Judge Jones,

It has come to my attention that Ed Rosenberg has pleaded guilty to a crime and it is my hope that this letter will help better understand Ed before sentencing.

I had the pleasure of meeting Ed Rosenberg during unfortunate circumstances. At the time, I was a single mom and my livelihood depended on my e-commerce platform through Amazon (Selling goods under different categories), an account that had been recently deactivated due to false claims.

For months on end, I attempted to have my account reinstated, going to the extent of hiring a firm and paying for services that were never rendered. I followed Ed Rosenberg's FaceBook page which assists Amazon sellers with deactivation issues, I made a comment in an inquiry on the page and stated my experience and Ed responded and messaged me. He selflessly offered his experience, advise, and services at no cost.

He guided me through the steps and within a week my account was reinstated. He asked for nothing in return and without his assistance I would have not been able to reinstate my account.

Ed, has selflessly helped hundreds of online re-sellers, he is well known in the reseller community as a kind, smart, honest, advocate for those whose livelihood depends on these platforms and have been wrongly suspended. I believe he should be given credit for his actions.

Please do not hesitate to contact me if you have any questions or concerns.

Phone number: [REDACTED]

Email: [REDACTED]

Sincerely,



Ana Ochoa

April 20, 2023

Hon. Richard A. Jones
U.S. District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Re: Rosenberg Sentencing

Dear Judge Jones:

I am an Amazon Seller with more than two decades of experience as a third-party seller and I have an intimate knowledge of Amazon platforms and systems and how they pertain to the Seller Marketplace. I'd like to provide the Court with some context that Your Honor may deem relevant to sentencing.

In the early days of the marketplace, prior to Fulfillment by Amazon's (FBA) launch in 2006, Amazon was still a company that provided seller support that was easy to access, and more importantly, easy to communicate with. FBA was revolutionary at the time because it gave low-volume resellers access to world-class logistics systems. Given that one out of every two online orders at the time were placed on Amazon, leveraging FBA was critical to anyone seeking to grow their online retail business.

As the program grew, the need for policing all of these sellers grew. Amazon's platform was vulnerable to a multitude of dangerous external actors seeking to exploit the site and its users, such as counterfeiting, hijacked listings, and trademark infringement, to name a few. The critical need to monitor a burgeoning catalog of listings vulnerable to exploitation had to be executed in concert with the need to support the vast majority of legitimate sellers.

To do this, Amazon developed various automated techniques to flag listings that triggered specific detection prompts. But automation is never as perfect as we'd like. The system flagged many listings that were not in violation of any Amazon policies and where the seller did nothing wrong. As a result, honest seller after honest seller found their listings or their

accounts suspended for no legitimate reason. Oftentimes Amazon would take weeks if not months to resolve such an issue, costing that business hundreds of thousands of dollars in lost revenue and profit. Inventory was devalued, seasons missed, businesses bankrupted and jobs lost as a result.

As one simple example of thousands, I'd like to share with the Court one of my own experiences, not from ten years ago, but one I am dealing with as I write this letter.

Amazon has suspended my top selling listing because the automated system believes the product requires EPA registration. The product has less to do with the EPA than a potato knish, but I am forced to divert hours of attention and effort to getting this product reinstated. I know this because I had to perform the exact same exercise about ten months ago, when it took more than two weeks to get the very same listing reinstated for the very same reason.

The above is intended to provide some color to what Mr. Rosenberg was faced with when sellers approached him for help. It is not hyperbole to say that livelihoods were at stake. I can't speak to Mr. Rosenberg's motivation, but I do believe that Mr. Rosenberg wasn't engaged in an enrichment scheme nearly as much as he was simply trying to help people in a system that was unintentionally endangering their ability to pay their rent, their school tuition, or their grocery bill.

I'd like to also advise Your Honor of a personal interaction I shared with Mr. Rosenberg at the most recent ASGTG event this past January. As an orthodox Jew, I make every effort to pray three times a day with a quorum in synagogue - morning, afternoon and night. When I travel from my home in Miami, this presents a challenge. I messaged Mr. Rosenberg to ask if afternoon prayers would be conducted at the venue. He advised that they would be. Even so, my experience has shown that when prayers are held at these events, it's off in a corner, in a noisy place, at a rushed pace and not conducive to what I consider proper prayer. In addition, the afternoon prayer at the event was scheduled late in the day, and while that may be acceptable for most, my personal preference is to pray earlier in the afternoon.

When I bumped into Ed at the show, I mentioned these concerns and suggested that in the future, perhaps afternoon prayers could at least be scheduled earlier and in an appropriate place in the hall. We parted and I assumed that was the end of it.

Not two minutes later, Ed found me in the crowd and told me that a synagogue just a few blocks away was conducting afternoon prayers early in the afternoon. I did go to that synagogue and was able to pray as I normally do when I am not traveling. Being able to properly pray at that synagogue that afternoon made my day. I doubt Ed even remembers this one brief encounter on a busy day, but I even remember where we were standing - next to the buffet right near the salmon teriyaki.

Keep in mind, I'm not a friend of Ed, merely an acquaintance - one of the many thousands of participants of the various ASGTG groups. Ed had no reason to inquire of an alternative for me, and I didn't expect him to. This is reflective of a genuinely caring and considerate individual.

In closing, I ask that this Honorable Court impose as lenient a sentence as the Law will allow, a sentence that reflects justice tempered with compassion.

A handwritten signature in black ink, appearing to read "Perry Dubinsky", with a stylized flourish at the end.

Perry Dubinsky

Miami, Florida

[REDACTED]

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Honorable Judge Richard A. Jones,

Ed Rosenberg is my son. He is one of seven wonderful children we, my husband Paul and I are very proud of. However, Ed has always been unique.

He was a great son and a well-rounded boy, playing sports with friends, going to shul with us, and he even had a unique bond with his grandparents who were Holocaust survivors. Ed would go to their house to listen to their stories. He was very curious little boy. But he was also very upset by the unfairness and wrongs. And whenever he could, he would try to fix them.

All throughout his growing years, he has excelled on every level...grade school, high school, College and beyond in his post college rabbinical studies. He was actually the first one in our family to go to college. His teachers, principals, and fellow students have consistently lauded his sterling character. Ed also had a speech impediment and has been struggling with that his whole life. And now, he has a job that involves a lot of talking and many times giving speeches. I'm very proud of my son for what he overcame and what he accomplished.

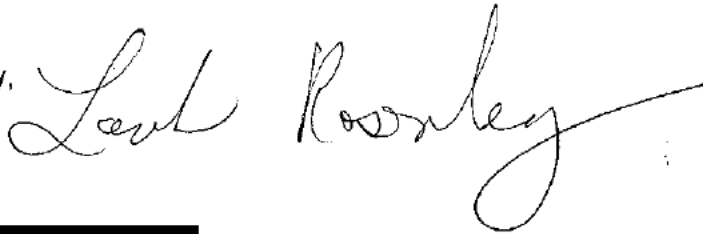
Together with his dedicated wife, Zehava, they have raised six fabulous children following in his principled and integral ways. Dealing with various challenges within his own family, always stepping up to the plate, and dealing with in a responsible manner. But he always finds the time to check up and show concern for us, his parents. He tries to see us at least once every week to make sure we don't need anything. He is always there for all of us, for his siblings and his aunts and uncles and nieces and nephews and his in-laws. He's there to comfort us and care for us. And when needed, he helps financially by getting people jobs or giving people money to hold them over. But Ed's the same everywhere. He's the same with people in temple, neighbors and strangers as he is with his family. He's there for everyone. I have heard many times that he's the same at work too.

Ed is the son everyone would wish to have! His life is dedicated to the principle of always doing the right thing. Even his business is dedicated to helping people with businesses in trouble. I understand that I'm writing this because Ed said he did something wrong, but to me, I know how good he is. I feel like he must have had a good reason for doing whatever he did. And I know he won't ever do it again.

The day he blurted out sobbing about this case, was one of the bleakest nights in my life. I didn't know how I can be there for him the way he deserves, the way he's always there for everyone else. So, I'm writing this letter hoping you consider it when sentencing Ed. I don't know what else to do.

Thank you. Sincerely,

H his proud mother
Leah Rosenberg



Moshe Solomon

██████████
Brooklyn, NY 11210
██████████

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones:

My name is Moshe Solomon, I am Ed's brother in law (married to his sister for 32 years)

I have known Ed since he was a young boy.

I can attest 100% that Ed has a gentle soul and does not have a bad bone in his body. From a young age he was always out to help the next guy and only saw the good in them (his father - my father in law is the same way)

I remember growing up he had a boy in his class that was mentally challenged, most boys that age would either make fun or just not play with him, however Ed would bring him home and play basketball with him in the yard for hours.

He also has a great wife as a partner and the cutest good kind hearted kids. If you would meet them you would right away see that they get it from their father.

When Ed was just starting out he worked out of a storage unit and kept all his merchandise that he was selling online (motorcycle electronics) in it. He actually had his desk and phone in the storage unit as well.

One night he was robbed and they took everything! It was all his life's savings worth. I remember speaking with him that day, and he was quite calm and was saying, it was meant to be. He literally started from scratch the next day by borrowing money to get more goods, and he did not let it get him down.

I am aware that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery. The purpose of this letter is to give the Court information of what I know about Ed.

Please Please Please have compassion on Ed.

Here are just a few things I would like to mention.

13 years ago when I was really struggling financially. Ed stepped in and helped get me started selling online (he actually pushed me to do it). At that time Ebay was a lot more popular than Amazon. He actually gave me his Ebay account that he wasn't using anymore to get started. He also coached me along the way on any questions I had from

shipping orders to buying goods. When Amazon became popular he helped me get started with them as well.

Needless to say I was able to pay my bills for the past 13 years with a lot of credit to Ed's support.

Amazon summit:

A few years ago Ed called me and said that Amazon contacted him that they want to have a few sellers to talk at an Amazon summit in Seattle, and that only Amazon employees will be in attendance. They wanted to hear about the experience sellers are having selling on Amazon, if I would be interested in going.

I did go down and met with high level management as well and they all had only the highest respect and the best things to say about Ed and how he is helping bridge the gap between sellers (that felt lost) and Amazon.

I spoke about how Amazon sellers were in the blind and when their account got suspended we had no one to talk to. They did tell me that they are aware of the problem and are working on it, however things take time to get implemented. In the meantime innocent sellers were being shut down and being put in financial ruins. Knowing that we were able to turn to Ed's group for some clarity was a lifesaver.

Suspension:

This happened to me, my Amazon account was suspended a few years ago, for no apparent reason. Our company is Zazzledeals and we sell apparel, we had 5 employees at the time (2 of them were single moms and needed this job with flexible hours to pay their bills)

I had no idea why and no idea if we will ever be able to sell again. This was my only business and was relying on it for all my Family including my 4 kids. After contacting Amazon and not getting any answers why this was happening I contacted Ed right away.

Within a few days we were able to get answers of why we were suspended. It seemed like it was a miscommunication and with Ed's intervention we were able to get our account reinstated and able to breathe again.

Turning to Ed for clarity was a lifesaver for me. I know how much he cares about me as a family member. But he didn't help me because we're family. He does the same for anybody. He does it all the time. He helped me because I needed help. And he knew he could help. That's all it takes for Ed.

Simple guy:

Ed lives a very simple life (almost to a fault) He rides a bicycle to work and to get around the neighborhood, while most of his friends and acquaintances drive cars. We are constantly telling him to wear normal clothes, as he wears basic old navy outfits

If anyone deserves mercy, its Ed. Please consider my letter.

Thank you,

Moshe Solomon

[REDACTED]
Privileged
Brooklyn N.Y 11210

Approximately eight years ago, when Ed started his ASGTG group, I must admit I didn't fully understand his dedication and the time he invested in it. I questioned him, asking why he was devoting so much of his time when there seemed to be no financial gain involved. However, Ed's response always centered around his belief that people's businesses were suffering. He would often say, "Imagine you're a retail store with employees, and suddenly your store gets shut down." This empathy drove him to

offer his assistance for free. However, as the demand for his help grew, people started to offer to compensate him.

Ed's greatest joy, apart from his children, derived from hearing how ASGTG has positively impacted the lives of its members. When the investigation into his activities began three years ago, I was so upset to hear about the government raid, the indictment, the negative press, the attacks against him on the internet, and the difficulties he and his family have faced the last few years. Frankly I am still unable to comprehend how my brother, who is one of the best people I know and always wants to help and never wants to hurt anyone, could get mixed up in all of this.

Your Honor, I share this information with you in the hope that you will consider the compassionate nature of Ed's character, his unwavering commitment to helping others, and his deep-rooted desire to alleviate the distress faced by individuals in our community. Ed's actions have always been driven by empathy, and he is genuinely dedicated to making a positive difference. I kindly ask for your understanding and leniency in this matter.

Thank you for your time and attention.

Sincerely,


Mark Rosenberg

Shaul Sprung
[REDACTED]
Brooklyn, NY, 11234
5/30/2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Hon. Richard A. Jones:

My name is Shaul Sprung, and I have known Ed for 14+ years. Ed and I married sisters and from when I first met him, he has been extremely gracious and welcoming me into the family. Ed has been like a big brother to me and is someone I turn to for advice and support. I have always found Ed has been thought out, calm, insightful, and compassionate. He has helped me navigate issues that I have encountered in my personal life with my children and family. He would give me guidance regarding my children's education, and when it seemed like we would not be accepted to my son's school, he put himself on the line and reached out to ensure we got in. I recall a time I was going through a difficult period at work in the real estate industry where I had lost a few big tenants and needed to navigate both the day to day getting through as well as dealing with investors and their concerns. He spent countless hours with me discussing the options and helping me navigate the issue. The main thing he had me focus on was taking responsibility for the situation and instead of avoiding difficult times, confront and overcome them. He will routinely check in with me and will make my issues the only thing that is of importance in the conversation, even while he has his own issues to deal with. I believe this speaks to Ed's core and why he has dedicated his career to helping people navigate difficult situations as that is a fundamental value he demonstrates in his personal life as well. He will be quick to share a smile and a laugh with anyone he comes across, instantly making them feel accepted and seen. Ed is someone who avoids conflict and is known as someone who will go out of his way to make peace among his friends and family.

Ed's family struggled over the duration of this ordeal. They are stuck in limbo as his children don't know if their father will be around to lead them as the stalwart patriarch that he has always been. His daughters are of marriageable age but due to the uncertainty of his situation the community and potential suitors have been reticent to proceed. Ed's wife who is one of the nicest and generous people I know doesn't know if she will need to raise their younger children on her own. Ed is crushed that his actions have brought his family so much pain.

I am aware that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery. The purpose of this letter is to give the Court information about the Ed that I know and

Hon. Richard A. Jones

5/30/2023

Page 2

love. I hope the court can find compassion and leniency for Ed, the Ed that is a kind and good-natured father, the Ed that is a pillar of good in the community, the Ed that would and does give of himself to anyone in need. Ed's parents are wonderful people, his father being an educator in the community who gave classes for years without pay. Ed's children who need to their father around, including a 14-year-old son who amongst his 5 sisters needs to have a father around to play ball with and to help him grow into a man.

I thank the Court for its time , and hope it can find the compassion to allow this dedicated family man to continue to be around his loved ones.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaul Sprung". The signature is fluid and cursive, with the first name "Shaul" and last name "Sprung" clearly distinguishable.

Shaul Sprung

Date: June 22, 2023

To:
Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones,

My name is Zehava Rosenberg, and I am writing this letter on behalf of my husband, Ephraim Rosenberg. I know Ephraim made mistakes and pled guilty to a crime, and I know that he learned his lesson and would never do that again. But I also know that to me, he's so much more than the crime and I wanted to share that with you.

When I met my husband about 25 years ago, we were set up by a matchmaker. We needed a few dates before we both realized we were right for each other. And we're so lucky that we did. We've been happily married for 25 years. I am more than blessed to have a husband that is so compassionate, respectful, thoughtful, and dependable. He's there for me when I want him to be and also gives me space to do the things I want to do on my own. I couldn't ask for more as a wife.

Most importantly, he's an incredible father to our six wonderful children. Ephraim loves spending time with our children. He treats each kid as his only one and lets them flourish in their way. He's a great family man. He's there for them for the big things like graduations and when they're sick, but he's also there for everyday things like putting them to bed at night or playing sports with them. We're both very looking forward to our older daughters getting married, and I know Ephraim is very much looking forward to his role in those weddings.

Ephraim is the guy everyone turns to with their problems. His side of the family, my side of the family, friends, neighbors, people from our synagogue, they all come to Ephraim for advice and for help. That's what he loves doing most. Helping people in trouble.

I know that is Ephraim's attitude in his work-life too. His whole goal is to help sellers on Amazon. He helps them on ASGTG by keeping them informed and by preventing them from making mistakes. And he helps them when a mistake threatens their business. Whether the seller didn't make a mistake at all or made a mistake that shouldn't end the company, Ephraim feels the wrong and the suffering. It hurts him. So, he works all hours to try to help these people.

I know Ephraim pleaded guilty to a crime here. But I also know that Ephraim is a good person. And I know that we have been through a lot these last 3 years. Notably, there have been a lot of Internet attacks against us. Obviously, some of it was true. But a lot of it was very false. And some of it was filled with hate. Basically, Ephraim spent decades building a reputation as an honest, hard working, caring person in his industry, and now, many people and companies and financial institutions won't do business with him or us. Where Ephraim was once very proud of his strong Internet presence, now there is a lot of shame. I know Ephraim has learned his lesson and will not do anything like this again.

Despite Ephraim publicly apologizing and acknowledging his wrong actions, many people including people he works with, still recognize that Ephraim is a good person who wants to help. Since this criminal case, Ephraim has increased his helping of sellers in many positive ways. And he hopes to continue those efforts going forward.

As his wife and mother of his children, my greatest hope is that you see him as we do, as a person with good intentions who has done a lot of good in the industry and in his personal life and will not repeat his mistakes.

Please don't hesitate to reach out to me with any questions.

Thank you.

A handwritten signature in black ink that reads "Zehava Rosenberg". The signature is written in a cursive, flowing style.

Zehava Rosenberg

Privileged

RABBI YEHUDA KRAVITZ



BROOKLYN, N.Y. 11210

Hon. Richard A. Jones

United States District Court, WDW

700 Stewart St, Suite13128

Seattle, WA 98101-9906

4/20/23

Your Honor,

As a local Rabbi, as a neighbor, and as a friend, I am herein writing to you on behalf of Ed Rosenberg;

Ed 's character traits are such that all in the community where he resides have only the utmost highest respect and warm feelings towards him;

He is looked upon as a role model in his family and communal life; His good heartedness and friendly demeanor endears him to all;

In all the many years I have never ever heard a derogatory word about him from anyone, ever;

In all the many years I have never ever heard him speak in a derogatory way towards or about any other person, ever;

Such is the "person" Ed Rosenberg;

He and his wife are raising a wonderful family together; He puts his heart and soul into his family; He lovingly raises his children to be upstanding citizens, ensures they receive the best professional education, to the extent that he had enrolled his son into an afterschool extra curriculum educational program, to further his education over and above regular schooling; He is indeed succeeding, and his children, under his guidance, are socially strong, and are achieving academic high marks;

On the communal front, he is involved in all aspects of charitable endeavors, always there to lend a helping hand, a friendly ear, and to take kind action when needed; Just as one example of his charitable kind heart, he agreed to accept the honor, when chosen to be an honoree, at the local large Jewish School dinner, just to encourage others to donate as well;

He is a well liked speaker at the local Synagogue, where I have noticed that the topics he chooses to speak about are always about achieving good character, honesty, integrity and being a kind person to all, irrelevant of their social standing; Always encouraging others to follow suit, and reach out with a

helping hand; One chooses such topics to speak about, when one "himself" is always thinking about kindness and generosity; It portrays who HE is as a person;

And kind & generous he is! When one thinks of him, that is what comes to one's mind!

He is truly a very special person, and sincerely deserves to receive all compassion and leniency possible;

If any wrongdoing took place on his part, we are all sure he has the utmost remorse;

I therefore join all the others in humbly requesting that your Honor show compassion and the utmost leniency in deciding his case;

With respect,

A handwritten signature in black ink, appearing to be 'YK' or similar, written in a cursive style.

Rabbi Yehuda Kravitz

Peshy Friedman
[REDACTED]
Lakewood, NJ [REDACTED]

April 23, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Honorable Judge Jones.


I started as an Amateur Amazon Seller 15 years ago when the industry was a far cry from what it is today. It was a learning experience with many challenges along the way as me and many other ecommerce sellers shifted their business model from retail to on line sales. During the early years we struggled to learn and overcome challenges ourselves. It was uncommon in the early days to share any information or to help one another navigate this transition. Sellers were afraid to share information as they focused on their own business and success. There was a silent fear that if you shared and supported one another ones trade secrets would be out and the competition would hurt us.

Ed Rosenberg changed that dynamic. He was from the first ones that started forums and seller communities for the sole purpose of helping sellers navigate as Amazon and e-commerce seller successfully, honestly and within Amazons Terms of Service. Ed opened up a new world to sellers, demonstrating how we can share helpful information without hurting each other. Ed is an upstanding and ethical individual whose passion for helping others has earned him the respect of the entire seller community and beyond. He showed how as a community we can all help each other and build better for ourselves, our families, and our communities.

Ed is a happy, fine, honest, and upstanding individual both within the business world and in his private life. I got to know Ed through business forums and events and our friendship grew out of our business relationship. He has helped hundreds, if not thousands of sellers throughout the years. He has educated sellers and brought valuable information to the forefront, always with honesty and integrity. Ed is an amazing and loving father, a true example of living ethically and honestly for his family and friends. Ed helped hundreds of sellers pro bona, beyond the scope of business contracts and commitments.

I understand that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery the purpose of this letter is to shed light to Eds outstanding character.

Eds' stellar reputation speaks for itself, a reputation deserving leniency, compassion and consideration in this trial.

Sincerely,

Peshy Friedman
Lakewood, NJ

Camille Catelo
Alpha Health Omega
2510 East Sunset Rd
Ste 5-676
Las Vegas NV 89120

April 20, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones,

I would like to say that Ed Rosenberg is an amazing person because not only he is helpful towards new amazon sellers or business entrepreneurs, but he is also very kind and knowledgeable. He built the ASGTG group on Facebook to help others with their respective businesses without asking anything in return.

My company and I benefited a lot from the support of the ASGTG group that he continuously put many hours per week to organize and make it a very welcoming community for everybody. Ed also organizes events yearly for the benefit of other ecommerce entrepreneurs and it has not only helped new sellers on amazon, but also built a lot of partnerships and business opportunities for experienced sellers. I believe that Ed has a good heart and he did not mean to hurt anyone. He has good intentions and always puts his clients first. Ed is remorseful about what he has done in the past and he promised to implement better ways to help his clients. Please do not put Ed in jail, the community of amazon sellers need him and his expertise. We all look up to him and value his help and confidence with navigating through the business part of amazon.

Without Ed, I don't know if my business Alpha Health Omega would have survived this past year. I am not one of Ed Rosenberg's clients, but his ASGTG group has helped me get through tough times without monetary payment. I was able to find support in the group and this helped with the success of my business. I am proud and happy to say that my business is very profitable and now stable. I can confidently say that I am now financially independent. Please do not punish Ed so much that it takes time out of his hands to help new business-minded people reach their dreams.

Sincerely,


Camille Catelo

Founder of Alpha Health Omega
Amazon seller of America Health One

Hon. Richard A. Jone
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Hon. Richard A. Jones,

My name is Shaul Edelman, and I am an e-commerce seller by profession. This means that most of my business is conducted through sales on the Amazon.com marketplace, and I have been involved in this business for over 10 years.

As is well known to anyone who has explored the business of selling on Amazon.com, there are many challenges that can come up which can be devastating to such a business. Unlike other lines of business, we Amazon sellers are at the complete mercy of the Amazon corporation. At any time, a seller can face having their account shut down for one of many different reasons, some legitimate and others not so much, and they instantly discover that they no longer have a business.

I reside in Baltimore, Maryland, and in my community there are only a handful of people in this line of business. This means that over the years when I have faced compliance issues with my Amazon Seller account, I had no built-in network of people I could turn to for advice and support. There was a feeling of facing the Amazon behemoth alone, which you can imagine has got to be stressful and nerve-wracking. Enter ASGTG. Founded by Mr. Ed Rosenberg in 2015, I came across the online support groups Ed created specifically for Amazon sellers back in 2017. What an incredible community of sellers this was. Suddenly I wasn't alone, as I found a network of support!

But it wasn't only about the support group. Ed has created one of the most highly sought-after Amazon Seller Annual Networking events. Through the support groups and networking events I have gotten to know Ed more personally. And what I can say about him is that I know few people who have been so dedicated to the success and wellbeing of others.

I'm aware that Ed has recently pleaded guilty to a crime involving conspiracy to commit commercial bribery. This is most unfortunate. But knowing what I know about Ed, it is clear to me that this was a mistake he made and does not paint a picture of who Ed is as a person overall.

Let me give you some examples of the "real" Ed:

- 1) Ed has over the years created, by request of others – myself included, additional support groups to help focus on specific aspects of the e-commerce business. This means that he's taken on, at no cost to anyone, the task of administering and moderating more and more groups.
- 2) Ed has created multiple petitions over the years on the change.org platform to bring certain critical issues affecting Amazon sellers to the attention of the Amazon Corporation. Ed's largest and most successful petition garnered over 12,000 signatures. Creating a petition is easy, but most don't gain too much traction. To reach over 12,000 signatures takes a lot of work, but Ed

did it out of the goodness of his heart without receiving a penny for it. And thankfully, his petitions have made a difference!

- 3) Ed has taken on many times to help accounts who clearly had their accounts suspended by Amazon for a wrong reason. Sometimes it can unfortunately be a lengthy process, but Ed has not charged the account holders more than his standard fee for account recovery even though he has spent countless hours trying to get Amazon's attention to fix the situation.

This is all besides where I have benefited from Ed personally. Many times over the years I have reached out to Ed directly seeking advice, and he has graciously taken the time to respond to me without "starting the clock". And Ed has made me feel as a valuable participant at the networking events he has organized, offering special discounts as incentive for coming from farther out (the events are usually held in NY or NJ), and whenever I have attended Ed's smile has greeted me, putting me at ease among a large crowd of unfamiliar people.

I sincerely hope, considering all the above, that just as Ed has shown so much caring and compassion for the hundreds of Amazon sellers he has assisted over the years, that you similarly will show caring and compassion towards him and allow for leniency as it relates to the crimes he pleaded guilty to. Ed has publicly expressed his remorse for what he did, and knowing him he has surely learned from his mistakes.

By being lenient with him, you will also be enabling him to continue his dedicated work on behalf of the Amazon seller community who has benefited, and will surely continue to benefit from his work!

Thank you for taking the time to read my letter.

Sincerely,



Shaul Edelman

[REDACTED] Baltimore, MD, 21209

shaul@ultimate-electronics.biz

[REDACTED]
[REDACTED]

Amy Wees

April 21, 2023

[REDACTED]
San Antonio, TX 78253

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Re: Character Letter for Ed Rosenberg

Dear Judge Jones,

My name is Amy Wees, and I am an eCommerce consultant and retail brand owner. I am writing this letter to provide insight into the character of Ed Rosenberg, with whom I have had the pleasure of working professionally. Although I have only had the opportunity to meet Ed in person once, I have had numerous interactions with him through his online community for Amazon sellers, ASGTG.

I first came to know Ed when I was invited to speak at one of the ASGTG events he organized. These events bring sellers together, providing a platform for networking and learning from each other. Ed's dedication and commitment to helping small business owners are evident in the way he runs ASGTG. He goes above and beyond to share valuable tips, connect members with appropriate resources, and bring attention to those who have been unfairly treated by Amazon.

Over the months, I have observed Ed regularly responding to group postings by offering assistance. Time and time again, I've witnessed the original posters gratefully exclaiming their victories, thanks to Ed's intervention and support. This pattern demonstrates his genuine concern for the well-being of small business owners and his desire to make a difference in their lives.

I am aware that Ed has pleaded guilty to a crime involving conspiracy to commit commercial bribery. While I cannot condone his actions, I firmly believe that Ed's intentions were rooted in his desire to help small business owners who were struggling with Amazon-related issues. His generous and compassionate nature, as evidenced by his work with ASGTG and its members, should not be overlooked.

Despite his mistakes, I believe Ed is genuinely remorseful for his actions and is committed to making amends. I hope you will consider his contributions to the small business community and his dedication to helping others when deciding the appropriate consequences for his actions. I believe that with the right guidance and support, Ed can continue to have a positive impact on the lives of small business owners.

Thank you for your time and consideration in this matter.

Sincerely,

Amy Wees

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

My wife and I started selling on Amazon in 2019 as an extra source of income. By the end of 2021, our Amazon business grew to the point that it was able to replace my full-time job allowing us to rely on Amazon as our sole source of income. We have since expanded our operations to allow 8 additional friends/family jobs. So far, during our time selling; we have fulfilled 204,865 orders which has led to happy customers across the United States. There would be far less happy customers if it wasn't for Ed and his Facebook group.

In 2020, we joined a seller community that recommended joining Ed's Facebook group. I was shocked at the amount of valuable information that was provided for free by Ed on his platform. Ed provides updates on Amazon's rules, account issues, unfair suspensions, and other issues that could risk our Amazon seller's account. Most importantly, his platform (Facebook group) provides us confidence that we could rely on Amazon as a continued source of income. I would have never quit my job to rely on Amazon's income if it wasn't for the confidence of not being suspended unfairly that Ed's group provides me. If I never quit my job then that wouldn't have allowed for the other 8 positions in our company nor a large chunk of the 204, 865 happy customers. We heard horror stories for years of accounts getting banned for unfair reasons. Ed tries to provide insight and reasoning on these issues to allow his group members to know if it could also happen to our accounts. Additionally, through his twitter, he is able to get accounts reinstated if they were wrongfully banned. Typically, people hide valuable information and services like this behind pay walls; however, Ed provides them free in his Facebook group. In 2021, we also reached out to Ed for 1 on 1 consultation regarding one of our employees who wanted to create their own business selling on Amazon. With Ed's help, we reached a process for a transition for the employee that wouldn't risk our seller's account.

We realize Ed pleaded guilty to the charges against him; however, believe he is deserving of leniency. By the amount of time that he provides for free; it is clear that his main motivating factor is to help others. It is this commitment that he continues to provide that has led to his group growing to over 68,600 members. That is, 68,600 individuals that realize the value Ed provides. We continue to recommend Ed's Facebook group as the information provided in it is necessary to run a stress free and successful Amazon business.

Thanks,

Marcus Wiggins

A handwritten signature in blue ink, appearing to read 'Marcus Wiggins', with a long horizontal flourish extending to the right.

American Heartland Merchandise



April 20, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Honorable Judge Jones,

My name is Yael Rouach Cabilly – I am an attorney and founding partner of Cabilly & Co., a law firm specializing in intellectual property and e-commerce matters. I am writing this letter to inform the Court, to the best of my ability, about the character and nature of Ed Rosenberg.

I have known Ed for almost seven years and can attest to his good character and personal qualities. We know each other through his activities with the online Amazon Sellers' community ASGTG and we have collaborated on many occasions, including the ASGTG annual conferences, online interviews, legal e-commerce cases, etc.

Ed is a well-known figure in our space and is known to be extremely humble and highly knowledgeable. I have seen him grow gradually, from a seller who interviewed other experts on YouTube, to one of the most professional suspension experts in the Amazon field.

In my experience with Ed, he has consistently demonstrated respect for others, kindness, and generosity. He makes tremendous efforts to assist members of the online community he runs – often complete strangers – in recovering from problems/suspensions with their online businesses. For example, Ed has initiated petitions that were successful in raising awareness of issues in the Amazon sphere and has similarly helped many people save their businesses and livelihoods. He prepared YouTube videos to share stories of sellers, who lost their business due to Amazon's mistakes- and helped them save their business.

Ed has helped me too, and supported the promotion of my law firm, yet he never asked for anything in return. For instance, he was the first to invite me to speak in his annual international conference, in front of hundreds of people, since he believed I would provide valuable content. I know I can always count on Ed, and so does any seller in his community.

Ed has shared with me that he spends most of his time building and maintaining his online community. All in all, I believe that Ed has helped thousands of e-commerce sellers, and a great part of his work is pro bono.



I recently spoke with Ed, and he expressed remorse for his actions. I have no doubt that he will not commit any crime, nor will he cross any line, ever again.

I firmly believe that Ed's presence in the e-commerce world is of immeasurable value and importance to thousands of e-commerce sellers and their livelihoods – and that Ed will continue to be a productive and responsible member of our community.
Thank you for your consideration of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Yael Rouach Cabilly', with a stylized flourish at the end.

Yael Rouach Cabilly, Esq.



Intellectual Property and E-Commerce Law

303 North Glenoaks Boulevard, Suite 200 Burbank, California 91502

Telephone: (424) 363-6233 | Facsimile: (424) 266-4646 | Email: mario@esqgo.com | Website: www.esqgo.com

April 29, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Re: Ed Rosenberg Character Reference

Dear Judge Jones,

I am writing to provide a character reference for Mr. Ed Rosenberg, who I have known for over three years. I understand that you are in the process of considering the appropriate sentence for Mr. Rosenberg, and I hope that my perspective on his character and conduct will be helpful to you in your decision.

As the founder and CEO of ESQgo, PC, a boutique intellectual property law firm specializing in assisting Amazon third-party sellers with various issues against Amazon.com, I have had the privilege of working with Mr. Rosenberg and observing his dedication to the Amazon Sellers community. I have been recognized as a Super Lawyers Rising Star from 2020 to 2023, have been featured in various publications, and have an extensive list of cases, including multiple arbitrations against Amazon.com Services LLC. My experience and expertise have allowed me to recognize and appreciate the invaluable support and knowledge that Mr. Rosenberg brings to the Amazon Sellers community.

I have been a member of the Amazon Sellers community for nearly a decade, and Mr. Rosenberg's knowledge and dedication are widely recognized and respected among our peers. As the founder of Amazon Sellers Group TG, Mr. Rosenberg has built a powerful network of over 68,000 members who rely on his expertise and support. Through his tireless efforts, Mr. Rosenberg has provided invaluable guidance to sellers facing various challenges, frequently offering his assistance on a pro-bono basis.

In addition to his work within the Amazon Sellers community, Mr. Rosenberg is a renowned expert on Amazon compliance and suspension issues. He has successfully helped numerous sellers, including many of the top 200 sellers, navigate the complex landscape of Amazon suspension and compliance matters. His expertise has been instrumental in helping small businesses thrive in an increasingly competitive market.



Intellectual Property and E-Commerce Law

303 North Glenoaks Boulevard, Suite 200 Burbank, California 91502

Telephone: (424) 363-6233 | Facsimile: (424) 266-4646 | Email: mario@esqgo.com | Website: www.esqgo.com

Mr. Rosenberg is also the founder and owner of SharkMotorcycleAudio.com, an internationally recognized brand in motorcycle and marine audio equipment. His entrepreneurship and commitment to excellence have contributed to the growth and success of this company, further demonstrating his strong work ethic and dedication to his endeavors.

In today's world, it is increasingly rare for individuals to take responsibility for their past actions. Therefore, I stand with many others in acknowledging Mr. Rosenberg's sincere remorse for his actions and his willingness to be accountable.

In conclusion, I believe that Mr. Ed Rosenberg is a good person who has had a positive impact on the lives of many entrepreneurs and small businesses. He has shown genuine remorse for his actions and has demonstrated a strong commitment to self-improvement. I hope that you will take these factors into consideration when determining the appropriate sentence for Mr. Rosenberg.

If you have any questions or need further information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mario Simonyan".

Mario Simonyan, Esq.

Dear Honorable Judge Jones,

I am writing to you today to speak on behalf of Mr. Ed Rosenberg whom I know pleaded guilty to a crime and I'm writing in support of his sentencing. Ed Rosenberg has always been an invaluable asset to my business and many others in the Amazon selling community.

As an Amazon seller myself, I can attest to the difficulties and challenges that come with selling on this platform, particularly in the competitive designer eyewear category. However, Mr. Rosenberg has been a true lifesaver for me and many others.

Over the course of my 10 years as an Amazon seller, Mr. Rosenberg has been a constant source of guidance and support, particularly in navigating the frequent account suspensions and ASIN takedowns that can be devastating to a seller's business. He has always been available to offer advice on how to avoid angry Amazon customer, and has worked tirelessly to help me reactivate my account when suspensions have occurred.

One particularly memorable instance occurred on a Saturday night when my account was suspended due to my inability to answer Amazon's phone call during the Sabbath. Despite the late hour, Mr. Rosenberg worked with me throughout the night to create a plan of action that ultimately resulted in my account being reinstated. He even continued to assist me the following morning, all while not being compensated for his time or effort.

Mr. Rosenberg's generosity and dedication extend beyond his work with me. He has also been instrumental in raising awareness about the challenges that Amazon sellers face, including launching a petition to stop counting negative complaints from returned items against sellers' metrics. He has done this all with no expectation of payment or recognition, simply because he cares about the well-being of fellow Amazon sellers.

Most recently, Mr. Rosenberg provided me with countless hours of free consulting to help me address an issue with someone infringing on my listings. He even went so far as to speak to the person on my behalf, all without asking for anything in return.

In short, Mr. Rosenberg is not just a skilled Amazon consultant, but a person with a kind heart and a deep commitment to helping others. He truly cares about the success of every seller on the Amazon platform, and I believe that his contributions deserve to be recognized and acknowledged.

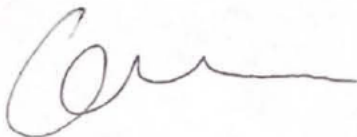
Thank you for your time and consideration.

Sincerely,

Cassie Stein

Gefen Optical

Howell NJ 07731



4/28/23

Polaris Prime LLC
4975 Avalon Ridge Parkway, Suite #300
Peachtree Corners GA 30071
[REDACTED]

May 4, 2023

Hon. Richard A Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones,

My name is Gary Tan. I would like to offer my relentless support to Ed Rosenberg.

Firstly, I am the owner and CEO of Polaris Prime LLC, an E-commerce and fulfillment company in Atlanta GA and I also serve as the President of the Malaysian Association in Georgia.

I have known Ed since year 2020, where our friendship has developed from a business acquaintance to a mutually trustable relationship in the industry.

In January 2020, I came across ASGTG.com under the guidance of Ed Rosenberg before seeking the organization's business advice for my business needs. Ed and his team were able to unblock me with several hurdles that I was facing with Amazon.com in a concise and succinct manner, saving my company in different aspects, both monetary and non-monetary as well as enabling my company to keep its employees hired, and earn the respect needed in the E-commerce industry. I have also since been supporting ASGTG's yearly events.

Ed has always been kind to share his knowledge and resources with me with regard to his experiences in the field. His enthusiasm and passion in helping others have been clearly manifested in everyone that he has crossed his paths with. I have first-hand witnessed several seller-colleagues who have spoken to him at conferences, being frustrated and demoralized about their business outlook. When issues pertaining to the Amazon.com accounts were brought up to Ed, he listened carefully, provided his undivided attention, and remained calm and collected before objectively providing his unbiased opinions and action plans to help each and every one of them. As a result, Ed's solutions and guidance have successfully resolved many cases that saved businesses.

Ed possesses passion and empathy that are rare in the E-commerce community – not only does he deeply understands the business, he also has a strong empathy and willingness to help others in our community.

During the time that we have crossed our paths, Ed has been a reliable, trustworthy and decent friend. I believe he will continue to contribute to the community in an impactful manner. I would like to take this opportunity to urge that Ed be given a second chance and mercy in your decision-making, considering his good moral characters that I have personally witnessed thus far.

Yours Faithfully,



Gary Tan

May 4th, 2023

Nehad Zabad

[REDACTED]
Tualatin OR 97062
[REDACTED]

6/1/2023

The Honorable Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Subject: Reference Letter for Ed Rosenberg

Dear Judge Jones,

I hope this letter finds you in good health and high spirits. My name is Nehad Zabad and I own an Online Retail business selling on multiple marketplaces such as Amazon and eBay.

I am writing to provide a character reference for my dear friend, Ed Rosenberg, who has pleaded guilty to a crime involving conspiracy to commit commercial bribery.

I have known Ed for almost 3 years through the Online seller community that he established and have had the pleasure of witnessing his outstanding character, conduct, and reputation in the community.

Ed amazed me with his rapid and immediate responses to any questions or concerns on the seller forums no matter what time it is in the day. Furthermore, Ed's conduct has always been impeccable. He is a role model who treats others with respect, compassion, and empathy. I have often witnessed Ed going above and beyond to lend a helping hand to sellers just like me whenever they are facing a critical issue that is impacting their livelihood, regardless of their background or circumstances. His acts of generosity and kindness have touched the lives of many in our community, leaving a lasting positive impact.

I have had my first meeting with Ed to discuss an issue I was facing with my business. The problem that I was dealing with has been going on for several months, and it resulted in the entire Amazon seller account being deactivated and the money that I had in the account was withheld by Amazon. The meeting with Ed lasted only 30 minutes, but he was really nice and sympathized with the difficulties that I was facing with Amazon's customer service. With Ed's advice and direction, I was able to get the issue resolved within a few days.

From the number of interactions that I have had with Ed during my ordeal, I was able to witness firsthand how caring, knowledgeable, and kind he is.

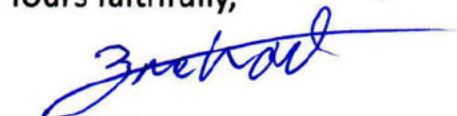
In terms of his reputation, Ed Rosenberg is widely respected and admired in the seller community by his peers and colleagues. His consistent display of honesty, fairness, and goodwill has earned him the trust and admiration of those who have had the pleasure of knowing him.

Even though I know that Ed broke the law, I firmly believe that Ed Rosenberg's character, conduct, and reputation should be taken into consideration during the legal proceedings. His track record of honesty, generosity, and kindness reflects his true nature, and I have no doubt that he will continue to contribute positively to society.

I kindly request the court to weigh these character traits and recognize Ed Rosenberg's positive contributions when determining an appropriate outcome in this case. I am confident that Ed Rosenberg will learn from mistakes made and use this experience as an opportunity for personal growth and continued service to the community.

Should you require further information or additional testimonies, please do not hesitate to contact me at the provided contact details. Thank you for considering my perspective, and I trust that justice will be served with due regard to the excellent character traits of Ed Rosenberg.

Yours faithfully,



Nehad Zabad

6901 Okeechobee Blvd
Suite D5-11
West Palm Beach, FL 33411

June 27, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Greetings Hon. Judge Jones,

I work as an e-Commerce marketing consultant that helps brands sell their products on Amazon. I have known Ed professionally since about 2016 from working in the same industry.

I am aware that Ed has plead guilty of a crime. Based on my knowledge of Ed's kind and compassionate character, I truly believe that his actions that led to his crime must have been done with good intentions of trying to help others and not for personal or financial gain.

I have followed Ed's work closely throughout the years as he was endeavoring to help Amazon sellers with various issues they were facing. I also have attended an annual conference for e-Commerce sellers that Ed organizes for approximately 5 years. At the annual conference, I have had the pleasure to meet Ed's wife and children. Ed is a dedicated and loving family man. Everyone at the conference always speaks overwhelming praise for Ed for being so humble, kind, and selfless in his work supporting and helping others.

Ed has fostered and a built a very special community on Facebook where the almost 70,000 members try to help and support each other called "Amazon Seller Performance (suspensions). Rights Owner / Legal Issues ASGTG." Ed has done multiple lengthy interviews posted on YouTube and in the Facebook group with people who were facing financial ruin from having their Amazon selling accounts suspended unfairly. These people had tried various pathways to get their Amazon accounts reinstated with no success. Ed worked tirelessly to help promote positive change for both Sellers and Amazon by shining a light on the serious difficulties some Sellers were facing.

Ed always used the hashtag #workwithusAmazon showing his collaborative approach. Ed has always been vehemently opposed to Black Hat tactics (which are illegal actions against Amazon's Terms of Service and he encouraged everyone in his groups to follow White Hat (following Amazon's Terms of Service) solutions.

Even while facing the legal consequences for his actions, which is understandably a very difficult and stressful experience, Ed still continued working to try to help other people in their times of trouble. Kindly see at the end of this letter only a few examples of the many posts made by people expressing their deep gratitude for Ed's assistance and support.

The posts below were all pulled from the Facebook group called "Amazon Seller Performance (suspensions). Rights Owner / Legal Issues ASGTG" by myself on June 26 and June 27, 2023 in a manner of minutes by searching posts for the keywords "Thank you Ed."

Ed Rosenberg is a very kind and compassionate person who tirelessly works helping others. Thank you for your time and attention to read this letter.

Best regards,

A handwritten signature in cursive script that reads "Deborah Roberts".

Deborah Roberts



Megan Dredge

December 9, 2019 · 🌐

This is my victory jump!
I'm UNSUSPENDED!!!!
I've been REINSTATED!!!

It's official: my Amazon account is live again after 191 days!!! 191 days!!!

Thank you everyone for your encouragement and support. Thank you [Ed Rosenberg](#) for helping me navigate this journey and giving wisdom for the next steps to take.



Evic Panosian

February 23, 2022 · 🌐

After 6 months of continuous appeal submission for falsely being related to a separate account and constantly getting rejected today I received this email from Amazon. My Account is reactivated and my appeal got accepted.

There are no words to thank this great community and specifically [Ed Rosenberg](#) for his relentless support and help. Thank you so much!



Gina Marston

June 20, 2022 · 🌐

I am literally in tears right now! After almost a year of being deactivated, I received an email stating that my selling privileges have been REINSTATED!!!! I was literally using food stamps to buy groceries when I found out. I cannot thank [Ed Rosenberg](#) and the members of this group enough! You all have helped me on this long, horrible journey and I am just beyond ecstatic! I have learned so much this past year and when I say things will be done differently when it comes to m...
See more — 🥰 feeling thankful.



Pete Kuz

January 5, 2022 · 🌐

Thank you, thank you, thank you!!! Today is the happiest day of my life!!! I got my Amazon account back and I am so grateful! Thank you for all your help! My smile is back again and life can continue normally. I have to say I appreciate everyone who retweeted my tweets - without all of you I wouldn't be so happy right now!

Huge THANK YOU and Appreciation to [Ed Rosenberg](#) for his support & for helping me not to lose hope.



Aimee Power

February 8, 2017 · 🌐

I can't even describe how excited my husband and I are right now!!! [Ed Rosenberg](#) went BEYOND what he should have and helped us get our account back active and in good standing!!!! I would RECOMMEND him again and again!!! After 5 weeks of sending non stop emails and praying.....finally today we get amazing news!!! So thank you [Ed Rosenberg](#) for everything you have done to get us here...back in Amazon!!!!!! I really can't say thank you enough!!! Praise God!!!!

May 24, 2023

To,
Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Richard,

I am writing this letter on behalf of Mr. Ed Rosenberg. I would like to introduce myself. My name is Riza Navarro, and I work for Ed as a virtual assistant. I have known him for more than five years now.

Though we only interacted online, I felt his genuine kindness, and my husband was witness to it. When my husband was hospitalized due to a critical illness and I couldn't work, I knew I wouldn't get paid for my absences for almost a month, but to my surprise, I still got paid, and he even offered to ship whatever medicine we needed. I know not all employers will do the same; I've seen many of my colleagues get fired because of sickness or absences. Ed showed me that he is not just my employer but a person who has a big heart and who is always ready to help whenever you're in need; you don't even have to ask.

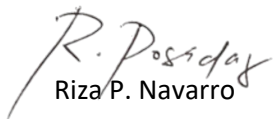
I'm aware that he pleaded guilty to a crime involving a conspiracy to commit commercial bribery. I was downhearted to hear about this case, but I know everything has a reason, and he is ready to accept any responsibility for his actions. Throughout the years, I've only seen him as a good leader in the community, especially in the community of Amazon sellers.

Personally, I'm fortunate to know Ed, one of the most humble, reliable, and decent human beings I've known. It is my sincere hope that this letter will give insight into what a good person Ed is.

Please don't hesitate to contact me at +63 955 9600 606 or email me at riza.navarro011907@gmail.com with any questions.

Thank you.

Yours Sincerely,


Riza P. Navarro

Honorable Judge Richard Jones,

My name is Sarah Halberstam. I am a 29 year old woman living in New York, together with my husband and family of 5 children.

I am writing to you with regards to Ed Rosenberg.

I have known Ed Rosenberg in a very close working capacity for the past 6 years.

I would like to give you a sneak peak into the personality of Ed Rosenberg that I have experienced working closely with him.

I have never met a more honest, straightforward individual as Ed. Time and time again, I would be left speechless at how honest he conducted himself and his business.

For instance, if somebody reached out requesting help, Ed would always make sure he gives over the true chances of success he thinks the particular case has. If Ed thought the case was a difficult case, and likely will not end up being successful, Ed would make sure the person reaching out was told in advance, "This case is hard. I give it a 10% chance of success". Or, "I do not think I can help you here because the chances are so low". He did not want to take people's money if he did not give the case a high chance of success.

This would give the person the information to make an educated decision whether or not they would like to proceed with hiring his services.

I have not ever experienced such integrity with other service providers or consultants.

Additionally, Ed would give timelessly of his time and expertise to people who never paid him a dime. I would recount these instances to my husband, being so impressed at his character and his lack of greed, at how he would go out of his way to specifically help people who had not paid him!

Ed would make video interviews with Amazon sellers in distress and then publicize the stories on his Facebook group which consists of over 61,000 members. You would have thought that he would conduct these interviews with his clients, who had paid him his consultancy fee. But in 85% of cases, Ed chose to publicize the stories of sellers who had never paid him anything. They would reach out for free, and their stories broke Ed's heart, so he felt compelled to do what he could to try and bring attention to their cases, without charging a penny.

Very interestingly, which I have found time and time again, he felt compelled to help people more for FREE than for charging them a fee. He always felt so bad charging people.

I can pinpoint many cases where Ed would request the team to send quotes to people. He always felt bad to charge, and would many times say to the team, "apply a discount", "charge a lower fee", or, "let's work on this for no charge and if we are successful we will then charge the fee".

An additional point I would like to mention, which I have not seen in any other person, is that Ed would literally recommend his competitors to people who reached out to him!

If someone reached out and Ed thought a different consultant would be better suited, or would be able to provide more efficient service, Ed would recommend the individual to a direct competitor or different

consultant. He saw nobody as a competitor. He did not look at this as a business that has to run in a business way. His primary goal was – and still is – to help sellers. That's it. So if the seller could be better helped via someone else, so be it. Ed would recommend that.

This can be clearly demonstrated by checking out his very own website – www.asgtg.com, and looking at the resources sheet, you can see there are lists of names and contact information of Ed's direct competitors! These companies paid NOTHING to have their services displayed on Ed's very own website!

Does that even make any sense?

Does this show a money-hungry or greedy person?

Of course not!

Nobody in their right mind would advertise their competitors on their own website! I would often tell Ed, "Why are we doing this? Why are we listing other consultants on our website? Isn't this taking away business from us?"

To which Ed would reply, "Nah. Let them all be on there. It's good for sellers to see everyone who offers consultancy services".

The same can be said about the ASGTG Telegram groups.

I have seen countless other individuals offering consultancy services on Ed's very own Telegram groups. They join the groups, free of charge, and build their entire consultancy business directly off of Ed's group! For no charge at all.

Ed is not only okay with that. He actually likes that. He loves the opportunity to help people.

He loves being able to be a springboard of success of other people and their business.

I honestly can say, I have learned so much from him.

Few people in this world are like Ed Rosenberg.

I wish I can conduct myself as honestly, so full of integrity as him.

One last point I'd like to bring out – Ed is a very humble individual. Few people in his position are so humble. I remember attending my first ASGTG Annual event. I was expecting to find Ed front and center, surrounded by people, maybe a mic in hand, and drawing lots of attention from the crowd. After all, this was his event and he was the organizer.

Instead, I had to search for Ed for approximately 10 minutes. I had to run around the hall packed with attendees, asking everyone if they've seen Ed. I finally found him.

He was in a little side room sending off an email to an Amazon seller.

That's Ed.

Away from the limelight.

So not power hungry.

So full of humility.

He is a person I look up to tremendously and seek to emulate. He has taught me what it means to be a person seeking to help others, and looking for nothing in return.

I am sorry for rambling like this. I have merely written from my heart.

I hope my words penetrate your heart. While I know that Ed has pleaded guilty to a crime involving conspiracy to commit commercial bribery, my sole purpose of this letter is to give the Court my personal experiences with Ed.

In events where Ed conducted actions that went against the law, I can honestly say that his pure motivation was one thing – to help the seller and to what is best for the seller.

He never had himself in mind. It was never about him. For this reason, I think Ed is deserving of leniency and compassion. He went out of his way to help other people, even to his detriment!

I can give an example of this.

Ed advocated for sellers on so many occasions. One hot topic Ed advocated for was to try and improve the communication between Amazon and Sellers. Ed achieved this goal. Amazon has started providing way more information than ever through Seller's accounts log in pages.

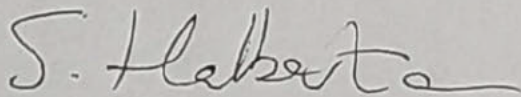
Now, unlike several years ago, Sellers have an easy way of appealing their own violations as a result of improved communication that Ed advocated for.

Since the appeals process improved greatly, much less sellers are in need of Ed's services. Where does that leave him? He actually was a victim of his own success. His business is actually less needed now than in the past due to his own advocacy!! This again shows, it was never about him or his business. It was legitimately about helping sellers be successful.

I have tried to the best of my ability to portray Ed as a whole and the way he conducted himself in business. It is clear that he is a very good man and never meant to harm anyone. Not Amazon, not sellers, and not the government. I think if anyone is deserving of understanding and leniency, it is Ed Rosenberg.

Thank you so much for reading my letter.

Yours very sincerely



5/8/23

Sarah Halberstam

Dear Honorable Judge Jones,

My name is Jacob Hatanian. I am writing this letter hoping you can please find favor and judge Ed Rosenberg in the most lenient outcome possible. I would like to share a little about how kindhearted Ed Rosenberg is. I know Ed for about 10 years. He is one of the kindest humans on planet earth. Before he started ASGTG he used to run a business in a warehouse. I was working in this same warehouse for a different company not for Ed Rosenberg. Ed Rosenberg used to always buy his employees lunch, snacks, and drinks. He would always come and ask my co-worker and I if we wanted anything as well and he would always buy lunch, snacks and drinks for us as well. Even though we didn't work for him. I remember Ed used to love his coffee; He used to order special coffee that he liked and always shared it with us as well even though Ed didn't employ us. In addition he would always speak with us and ask how are day is going like a friend. Even though he was an owner of business I felt like we were friends and he really cared about us. I am sharing this story because I wholeheartedly believe Ed is a very kind amazing human being. The way he treated us even though I was not his employee shows his true character. My Honorable Judge I hope you can see it as well.

Yours truly
Jacob Hatanian



May 19, 2023

Jakub Novotny

address: [REDACTED] Prague, Czech Republic, 15200

email: [REDACTED]

phone: [REDACTED]

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Judge Jones:

My name is Jakub Novotny.

I have been an Amazon seller for 6 years now and I have been observing Ed Rosenberg and his actions for the past 4 years.

Who is Ed Rosenberg to me? Ed is a lifesaver, literally. Let me first explain the context (1/3), then how Ed's lifesaving qualities fit into it (2/3), and why I believe this should be taken into account in his sentencing (3/3).

1/3) The Context (Selling on Amazon)

From my experience and my speaking with other sellers, selling on Amazon is like having your head in a guillotine while a robot holds the rope. The robot usually works well and never lets the rope go, but in some random, unpredictable events, it can malfunction, and you lose everything in one moment.

Amazon is so huge that most of the daily tasks, decisions, and checks are done by software robots (called shortly "bots"). And they are only as good as their programming and make mistakes. They can wrongly interpret data and get your Amazon account closed in no time.

And when you lose your account, you essentially lose your life because selling on Amazon is how sellers earn money to feed their families and pay their employees.

And when you lose it, you cannot simply fix it by contacting Amazon. Even though Amazon is so huge, it is very difficult to find a competent person to help you. And even if you find such a person, they are still unable or unwilling to help for various reasons.

On top of that, there are constantly many fraudulent sellers making the life of all legitimate sellers difficult, among other things (that do not fit the proper length of this letter).

This is why being an Amazon seller means that you constantly fear losing everything (your whole life) just because of some unjust and undeserved mistake.

2/3) How is Ed a lifesaver

Hundreds of groups exist for Amazon sellers on Facebook, and I have been part of tens of them for the last 5 years.

But only Ed and his group managed something nobody before him managed to do - give sellers real hope and the ability to save their businesses when they became victims of the issues described

above. And saving someone's business means saving their life because, to reiterate, their families and their employees depend on them.

I see him every day making an effort, spending time to help each and every seller that got into trouble, navigating the complex landscape of who can do what at Amazon, and providing various means how to contact Amazon employees with real authority and capability/competence and helping to make it happen until the order has been restored and another life has been saved. I had never seen anyone who could help sellers in despair before Ed's time. And yet he managed to find ways to help people and created tools and platforms where people can learn from each other to help themselves, escalating only the most desperate cases to Ed.

And on top of all of this "reactive" help, he also helps tremendously by being proactive - flagging current risks and issues to other sellers, providing weekly updates, running multiple Facebook groups, many Telegram groups, a Twitter, and any means necessary to be able to help people.

This is why I believe in Ed and in him being a lifesaver because I see him every day or every week saving the lives of his fellow sellers, and we all respect him and love him for that.

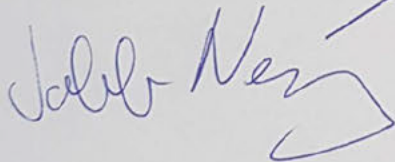
3/3) Conclusion

I know that Ed pleaded guilty to commercial bribery. But for all that was said above, and much more that cannot fit the proper length of this letter, I believe Ed deserves as much leniency and compassion from the court as possible. Without making assumptions but only by observing his attitude and actions, I can say with a clear conscience that he is a genuinely goodhearted person who truly cares about his community of fellow sellers even when he cannot get any direct personal gain from his interaction. He earned his place with his tireless hard work by doing actions that people seeking only personal gain would never do, which only confirms his selfless attitude. And to re-emphasize the main consequence of his actions - this means that he directly helps all the families of sellers and employees that benefit from his conduct up to the point of saving their whole lives. There is nobody else like him. He is our hope, and I pray he stays with us and continues his legacy.

Thank you for listening of what I want to say about Ed,

My kindest regards,

Jakub Novotny

A handwritten signature in blue ink, appearing to read 'Jakub Novotny', with a long, sweeping horizontal line extending from the end of the signature.

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

5/11/2023

Dear Hon. Richard A. Jones,

My name is Kerri Fox and I have worked in the Amazon industry since 2013 in multiple capacities including a direct seller, a wholesaler and as of 2017 representing manufacturers and brands. Working with Amazon is challenging to say the least, there have been some improvements over the years however the support for sellers' brands and manufacturers has never been adequate.

In September 2019, I represented a multimillion-dollar manufacturer on the Amazon platform. This manufacturer was over 30 years old had over 15,000 listings and was not a seller -they stayed true to their company mission and manufactured products that they sold and continue to sell to third-party sellers who then placed these listings for sale on Amazon.

In order to protect the brand integrity, this company registered as a manufacturer and brand with Amazon and through myself and my team made a considerable effort to correct thousands of listings that contained an accurate product information, counterfeit product being sold under the brand-name, misspelled versions of the name, inadequate and inaccurate pictures, trademark abuse of the company name, abuse of intellectual property, improper UPC and other variations of inaccurate information.

This process was tedious and tenuous, and we had a little support and cooperation from Amazon, even though we were registered properly and could provide all forms of proof and verification of who we were. Instead, Amazon showed preference to sellers of our products as opposed to the manufacturer, and in many cases refused to allow us to change our own product inaccuracies causing further damage to our brand.

In September 2019, Amazon sent us notice of suspension and then deactivated our account. Right from the start we didn't understand what we did wrong and after multiple attempts to find out no one could tell us, and we had no cooperation. Eventually we found out that the Amazon system identified us as detail page tampering- we were treated as a seller that was going in and tampering listings and changing them as opposed to the rightful manufacturer correcting damaging inaccurate product information.

Multiple calls and proof of who we were led nowhere. It got to the point that this company was completely shut out and unable to log into any Amazon accounts or even receive a call back.

Desperate for help after researching I came across Ed's ASG group and Ed Rosenberg himself. I was not a part of that group on Facebook and did not know any members in the group nor had I ever met Ed. I reached out to Ed and explained the situation and its severity, identifying myself as well as the company and asked him for help. He certainly did not know me and had never spoken to me before, and it was clear he had an extreme number of responsibilities of his own in addition to trying to help others navigate the complexities of Amazon.

To my surprise, Ed returned my message and jumped on a call with me to better understand what was happening. He prioritized my problem and listened to me. He understood the issue, and that this was a major problem that affected the entire supply chain of a 30-year-old company. He was very sympathetic and understood exactly what was happening. He made no promises that he could fix anything other than that he would speak to someone he knew and could at least get an audience to explain the situation and be an advocate on our behalf. He was literally the only person to listen to me and make any effort to help. This process took several days and he stayed in touch with me the entire time assuring me that he had not forgotten me and that we would hear something soon. Within days our account was reactivated, and it was 100% due to Ed Rosenberg and his kindness, understanding and efforts helping me.

About a year later, I attended a conference/seminar held by Ed's ASG group and had the opportunity to meet Ed in person and thank him. We have stayed in touch since and he has been a wonderful resource not only for me, but for multiple sellers and others in the Amazon world that are left frustrated, treated unfairly, and sometimes in dire financial straits and have absolutely no one to reach out to or intervene on their behalf.

Ed has always treated me professionally and sympathetically and as mentioned made extra effort on my behalf, having no prior relationship or compensation to do so. He has never asked me for any compensation, and I have never paid any to him or anyone affiliated with his team.

I respect Ed and I am still thankful to him. Over the years he has spent his life helping a great number of people in the Amazon industry including myself and he is certainly deserving of leniency and compassion as everyone makes mistakes.

Respectfully,

A handwritten signature in black ink, appearing to be 'Kerri Fox', followed by a long horizontal line.

Kerri Fox | CEO

32895 Coastal Hwy # 201B

Bethany Beach, DE 19930

<https://www.delawaredigitalmedia.com>



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New York, NY 10001
Tel + 1 212.380.3623
ms@gs2law.com

June 26, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Hon Richard A. Jones,

I am a founding partner of Garson Segal Steinmetz Fladagat LLP, with offices in New York, Miami, and Pennsylvania, and a federal court practice in multiple states across the nation. I write this letter to wholeheartedly support Ed Rosenberg whom I have had the pleasure of working with on multiple occasions relating to intellectual property matters.

In the decade I have known him, I personally witnessed Ed be helpful while humble, a lifesaver and guiding light to small business unfairly decimated, without ever taking a penny from me or from many clients I am personally aware of that he has helped. I have always known him to be genuinely in support of assisting small businesses that needed help to continue to provide for their families as sellers on the amazon.com platform.

A personal friend and client that sells brand name apparel as a small business on amazon.com often relates to me how much time Ed has given him on the phone to discuss nuances of amazon rights owner complaints while never taking a penny. While details are confidential, I have been on the receiving end of calls by decimated business owners that had to fire scores of staff overnight when a bad actor falsely complained about them, the entreaties to amazon staff fell on deaf ears, and only Ed was able to keep guiding them, getting their business back on its feet. The rights of amazon sellers are often unintentionally ignored, and Ed helped guide many a client to account reopening for false complaints where they cannot afford to litigate for years. It would not be a stretch to say that hundreds, *perhaps thousands*, of families continue to be supported as a direct result of the work Ed has done for free for the honest amazon seller community that is constantly battling against bad actors and black hat techniques.

Ed began in a nascent industry with small sellers that needed guidance - many of which were just starting out as sellers from the basement of their homes - and helped them navigate the wild west that amazon.com was becoming as it grew into the current behemoth form. Amazon may have good intentions but their policy implementation can be problematic, literally putting people into debt and into the street overnight - Ed has fought for hundreds of these small businesses. I have many clients that worked with Ed, have never heard a bad word about him or his work, and most people rave about his knowledge, experience and willingness to assist, spending hours upon hours of his own time without any compensation taken or expected. Another long time client in

the houseware space recently called me to rave about a recent Ed Rosenberg event and how it really assisted the amazon seller community in a way that large corporations take for granted but helps provide a space for the smaller seller to survive and thrive.

While I am aware that Ed pleaded guilty to a crime of conspiracy to commit commercial bribery, I am hopeful the above will be taken into strong consideration when considering leniency and compassion. I know my sentiments are echoed by hundreds who recognize his nature, and thousands more blissfully unaware of how they are greeted at night by a warm bed with a full stomach, as a result of his good deeds.

Yours sincerely,



Michael Steinmetz

Garson, Ségal, Steinmetz, Fladgate LLP

164 West 25th Street, Suite 11F

New York, New York 10001

Tel: (212) 380-3623

Email: ms@gs2law.com

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Your Honor,

I am Maria Vinnik, a long-time Amazon seller with 17 years of experience in the industry. I am writing this letter to provide information regarding Ed Rosenberg, whom I have known for over 7 years.

As an Amazon seller, I have my own story, in which Mr. Rosenberg played a vital role.

My Amazon Canada account was suspended in May of 2020 on very vague grounds, and I even lost an excess to my Canada account. Because of this suspension, my other Amazon marketplaces started to shut down as a “domino effect”, one by one, in April-June of 2021. And Amazon is my main source of income for many years. I did not know what to do, I went through all the stages: anger, rejection, acceptance. But income was lost. As a mother of 2 National Champion ballroom dancing kids, who represent the United States all over the world - lost income meant kids cannot continue dancing on a National and International level. I knew Mr. Rosenberg and his FaceBook group for a while already, I participated in his Amazon seller show in 2019, but I couldn’t even imagine how supportive and protective this group was under the guidance and supervision of Mr. Rosenberg. He posted my story on LinkedIn and Twitter, and he even did a flashmob “wear all black for a day for Maria Vinnik’s support”. I again sent appeals and explanations, I sent messages to Amazon’s corporate Twitter account, and my Canada account was quietly reinstated in January of 2022. And because of this reinstatement, I was able to reinstate all other marketplaces. In October of 2022, my son became champion of the Canada Grand Prix and Toronto Open competitions, and On March 19, 2023, he became the 5th time United State champion in ballroom dancing. I clearly understand that if not for Mr. Rosenberg’s support of my case it would never happen. All my family is forever grateful for his consistent support, although we barely knew each other, mainly from a few of my Facebook group comments, I’m a stranger to Mr. Rosenberg, but his dedication and devotion to helping other people are tremendous. I have also come to know him on a personal level through the progress of my case, and have found him to be a kind and compassionate person.

I am aware that Ed has recently pleaded guilty to a crime involving conspiracy to commit commercial bribery. While I cannot condone his actions, I believe that Ed is a good person who has made a mistake. I do not believe that this mistake should define his character or his future.

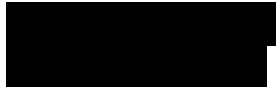
I am writing this letter to request leniency and compassion for Mr. Rosenberg. He has expressed sincere remorse for his actions and has taken full responsibility for his wrongdoing. I believe that he is truly sorry for what he has done and that he is committed to making things right.

He has been an asset to our Amazon community, volunteering his time and resources to help those in need. I believe that he has learned from his mistake and that he deserves a second chance.

In conclusion, I ask that you consider the information that I have provided and take it into account when sentencing Ed Rosenberg. Thank you for your time and consideration.

Sincerely,

Maria Vinnik



A handwritten signature in black ink, appearing to be 'M. Vinnik', with a long horizontal line extending to the right.

To:

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Your honor,

First, I'd like to introduce myself, my name is Asaf Cohen and I'm the owner of "AC Tech LLC", an ecommerce company established 2018. In those years I grew my business, and I learned a lot using dedicated online groups. I can say that without the mutual help, questions/answers and information shared on those groups my business would not be where it is today.

I got to know Ed for a couple of years already through his Facebook group for Amazon's sellers named: "Amazon Seller Performance (suspensions). Rights Owner / Legal Issues ASGTG", a group I have been using almost daily.

I am aware that Ed recently pleaded guilty to a crime involving conspiracy to commit commercial bribery and the purpose of my letter is to give the Court information I know about Ed:

Despite being a member in a dozen of similar group targeting the same Amazon ecommerce sellers, I can say with 100% guarantee that this is my best group because of the following:

- The declared goal of the group is to help the community itself and not making money out of it. In other groups, the admins will try to generate leads for this products/services, will censor posts and comments according to their personal agenda and their business interests and not the good of the sellers' community. There are no courses sold by him, no lead referrals or fees.
- Ed is personally involved and pro-actively working with sellers like me to make the platform better by revealing and reporting bad actors, help small innocent sellers that were wrongly accused or ones that trying to prove their point against Amazon's bots or agents that tend to reject appeals with no clear reason.
He is doing it by using the social media power of his community, by tweeting and tagging Amazon's executives which most of time will resolve the seller's suspension or funds hold just by having someone actually reading and addressing his claims vs auto-denial.
All the above is only thanks to Ed's personal attention and his personal respectful reputation and despite the time & effort he puts into it, it is FREE OF CHARGE.
- Ed enforces the same rules for all, regardless of you experience, revenue, country of origins, race, color or religion, he's there to help everyone.
- Ed and his group maintain a public free directory of professionals' services in the Amazon services industry, no priority or preference to himself or his friends.

I also want to share a personal experience I had with Ed, it was October 2021 and I received 2 inauthentic claims regarding Nike shoes I sold. Those were my first ever inauthentic claims and I as terrified that my account will be suspended. On that year I was a 7-figures seller Amazon also put a hold on my funds which got up to \$150,000 until resolved. I was very worried for myself and my 3 employees who depend on my business.

I reached out to Ed and asked for an urgent help and then offered me a free consultation call. Just to get you into perspective, other group admins, so called gurus or even professionals that offer this service will charge on a call like that hundreds of dollars, but he didn't. On the call asked me couple questions and gave me the best approach to handle the issues, didn't push towards purchasing anything nor referred me to anyone he knows for a referral fee which was such an admirable behavior in this ecommerce jungle where people getting reach by taking advantage of sellers in need.

To conclude I can say that I'm confident on Ed's remorse due to his actions, and I beg the court to take into account his endless good deeds toward the sellers' community.

If I was requested to name one person that changed and keep improving Amazon's treatment towards their sellers, it will be Ed Rosenberg.

Best regards,

Asaf Cohen

ACTech LLC owner

[REDACTED]

Asaf@actechllc.biz

A handwritten signature in black ink, appearing to be 'Asaf', with a stylized flourish extending from the end.

Matteo Lombardi

[REDACTED]

Barcelona, Spain 08013

May 11, 2023

Hon. Richard A. Jones

United States District Court, WDW

700 Stewart Street, Suite 13128

Seattle, WA 98101-9906

Judge Jones:

My name is Matteo Lombardi, 41 years old, I am an Italian/Brazilian entrepreneur, resident in Spain but selling actively on Amazon.com since 2013.

With this letter I intend to give testimony to Ed Rosenberg's character to the best of my ability and knowledge.

I have not met Ed physically, but I have met him virtually on numerous occasions. I know the world believes virtual meetings to be less important than physical meetings, but I have run a virtual company for 13 years now and I beg to disagree. I have met many people virtually to which I would always extend my help, sympathy or do whatever is needed. I hope the world shares some of that thinking after the events of the pandemic, where we all had to learn to continue doing what we were doing digitally. I now have 55 employees in my business, most of which I have never met, but feel deeply attached to and care for.

While I know Ed pleaded guilty to a crime in this case, he has not spoken to me about the case, I am an active member of the seller suspension facebook group ASGTG of which he is the founder, and active participant. And I can attest to my interactions with him, through the group and on consulting calls.

I would like to state as well that I am usually a very good judge of character. I am a very analytical person and I study a lot of human behavior. One thing I have noticed in my life is that people with low integrity tend to show their true colors in some moments, maybe it's how they treat the waiter, maybe it's how they answer a message in a day where they are out of patience or whatever thing they need to maintain composure.

With my live interactions on camera and several interactions on facebook group, and another countless observations of his actions. I never once saw Ed behaving out of fear, jealousy, lack of integrity. I find it very difficult that someone with low integrity would do such a thing, I have never observed this on anyone else.

I do not know why he committed this crime, and it leads me to believe that, maybe with good intentions, he has done something that was against the law. Ed is always looking out for other people, most often with nothing to gain from it, and that is the only way I can imagine Ed purposefully breaking the law.

It is also strange, that having a perfectly legitimate business, recognized by his community, he would put it at risk for a little extra money, doing something that is clearly illegal.

Knowing the business of helping sellers with seller performance issues, I know that Ed has made some choices which are hard to explain, if he was not a person of high integrity. In his page, he lists all the vetted service providers in the industry and is quite allowing of who can get into the list, while he could easily bar entrance into the list by competitors, to serve his purpose of making more money.

He would also not spend so much of his time and energy trying to help some difficult cases, where sellers have been suspended wrongfully, and he tries to help them get reinstated. The actions that I have observed, on numerous occasions, do not seem to me as the actions of someone with low integrity and intention to harm others.

When consulting me about not been suspended on Amazon, Ed has never mentioned any illegal action, has never implied that he could help me in any way but by giving advice on what he thinks Amazon wants, and what is the best way for one to keep their account secure. It would have been very easy for him to either in between the lines, or directly, suggest he could do more than just consult me in legal and compliant practices to properly run a business on Amazon. One that is not working with Amazon might also ask, why is a service like this even needed? isn't it clear what one can do and what one cannot? I wish it was. Sometimes Amazon methods and language are not clear enough, and one has to learn how to navigate the different issues that arise, how to escalate them correctly so that the right person can look at the issue, and how to avoid creating issues at all.

I have also observed in his facebook group that Ed has been asked at times to silence, ban, or restrict the voice of some members, and I saw him discussing openly why he thought he should not silence, aside from some extreme cases. Again, I do not think these are the actions of someone that has low integrity.

I cannot fully know what he did or didn't do, but from all the actions I have seen with me, or I have observed with others, I believe that even where he broke the law, he did it with good reason.

Thank you,

A handwritten signature in black ink, appearing to be 'ML' or similar initials, written in a cursive style.

Matteo Lombardi

Rick Mirsky

[REDACTED]
Ocean, NJ 07712

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Re: Efraim "Ed" Rosenberg

To The Honorable Judge Richard A. Jones,

My Name is Rick Mirsky, I am the founder of Ecom Diversify. We are a consulting firm who helps brands to diversify where they are selling their products online to lower their reliance on Amazon as their sole source of revenue.

I write this letter to you today in reference to a man who I genuinely believe to be a kindhearted, honest, and most of all GENEROUS person. In the last 5 years I have gotten to know this man very well, having attended and exhibited at many of his conferences, had many in person meetings with him, and spoken to him via voice and text chat. I hope after reading this letter you will come to see him as I have.

Approximately 6 years ago I began dabbling with the idea of working in the ecommerce consulting space. At the time I had a level of expertise in a particular ecommerce selling channel that many others did not have. A friend of mine suggested that I speak with Mr. Rosenberg as he had already by this time become very active and successful in his space. We spoke for a short time and Mr. Rosenberg, seeing how serious I was about building a business for myself offered me a partnership with him. I would handle all the issues that required my expertise, and he would handle what he had expertise in. He did not have to do this. I was a nobody. He didn't know me from a hole in the wall. But through his abundant generosity he was willing to allow me to use the company name that he had worked so hard to build so that I could begin to build myself up. In the end I turned this arrangement down because I wasn't ready to move in this direction yet and he was ok with that even though he could have used my expertise.

Fast forward three years (around 2021) and Mr. Rosenberg and I have remained in touch. At this point I have already opened my own consulting firm (unrelated to the Amazon space) and I was looking to exhibit at one of Mr. Rosenberg's yearly events. Money was tight as I was operating on a startup budget, so I approached Mr. Rosenberg about being unable to afford to be at his show. Mr. Rosenberg graciously offered me, not only a deep discount off the regular cost of a booth at his event, but he offered me PRIME placement of my booth (directly in front of the door that everyone entered the conference hall through) and additional free marketing in his weekly newsletter. I don't know if my business would have reached profitability as quickly as it did if not for the support of Mr. Rosenberg and the ASGTG community.

Please take into account the type of person Ed is and the good he has done as you are sentencing him for his crime.

Thank you for your time,


Rick Mirsky
Founder, Ecom Diversify

Hon. Richard A. Jones,
United States District Court, WDW,
700 Stewart Street,
Suite 13128, Seattle,
WA 98101-9906

Dear Hon Richard A Jones,

My name is Benjamin Lapin and the purpose of this letter is to give the court information regarding Ed Rosenberg and why he is deserving of leniency and compassion. I am aware that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery. I am 52 years old a wall street trader and president of a consultant company called S.M.R.C Stock Market Recovery Consultants. My firm specializes in helping the small investor file FINRA arbitration claims against their brokerage firm for any dispute wrongdoing, negligence ect. I have settled over 1,000 FINRA arbitration claims mostly at mediations throughout the states. I am an orthodox Jew and father of 5 children living on the same block as Ed Rosenberg for 20 years and we also are neighbors in the Bungalow colony called Fallsview Estates in Fallsburg N.Y., so the Lapin and Rosenberg family are very close to each other spending every summer together.

Ed Rosenberg and most of his friends know him as EFFY his Jewish nickname short for EPHRAIM is such a nice humble guy who made it on his own and never let his success get to his head. Most people, when they are successful, dress fancy, talk fancy and hang out with the upper-class snobs. EFFY prefers to wear sweatshirts and keep a low profile and always has time to help everyone rich or poor, the cool people and the not so popular people.

Effy is a special family man a father of 6 children who he gives so much attention to and adores his wife Zehava. All Effy wants to do is help people get back on the AMAZON WEBSITE as his clients all made their living from selling on amazon. Effy has discussed with me from day one, year after year he poured his heart and what hurt him the most was that his wife and children were in pain. Effy is a straightshooter who has a clean reputation and always paid his taxes and is not the type of person who indulges and needs riches to satisfy his lifestyle. On the contrary Effy doesn't need much but just wants his family to be happy and he loves to ride his bike and scooter around. When you read about people involved in crimes like bribery, you think of selfish people, but not Effy. He is a real mensch and family man, a religious Jew who would give the shirt off his back and help everyone. Effy has a huge social status following and has spoken publicly many times and is considered an expert by many. But I can tell you that he doesn't have an ego or a fake bone in his body and it's hard to find anyone that has a bad word to say about Effy.

He is the best neighbor a friend can have, always asking if we need anything or sharing his BBQ food and grill or offering me and my family rides from Brooklyn to Fallsburg and back. One time my 15-year-old son hurt himself on the basketball court in Fallsburg and had a concussion, I was in Brooklyn and Effy and his older daughter Baila a nurse sprung into rescue action called an ambulance and both of them took him to the emergency room in Middletown staying with

him and bringing him home at 2:00 am. Not to repeat again but I know, being his neighbor how remorseful Effy is staying up at night worrying about his wife and children and he really could not forgive himself for hurting his wife and kids.

Effy always looked to get involved and helped out in the bungalow colony on the Sabbath afternoons in Temple. He always volunteered to lead the services or to give a lecture, there was no money involved for these talents but just pure giving of himself. He also put together the colonies volleyball and softball games and is a real outdoorsman. Effy is a giver not a taker and not a ME FIRST PERSON. During covid when all Temples and synagogues were closed, Effy volunteered his backyard to the block in Brooklyn that we can use it to pray on the Sabbath and Jewish holidays.

In conclusion Effy is a special kind, generous person with his time and money and is a great father, husband, friend who has always been there for everyone, we all know life comes with struggles and unexpected twists, turns and challenges but Effy has always balanced life, religion, family, work and I respectfully ask the Court to take all these considerations with sentencing.

Thank you,



Benjamin Lapin

Mobile: [REDACTED]

P I d



May 2, 2023

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 131218
Seattle, WA 98101-9906

Judge Jones:

I am the Rabbi of Chevra Nachlas Joshua Monastristch, an Orthodox Jewish religious congregation functioning in Brooklyn, uninterrupted since 1924.

For the past, approximately 15 years, Ed Rosenberg and his family (residing at 1446 East 27th Street, Brooklyn, New York) have been members in good standing of our congregation, and I have served as a spiritual mentor to them.

Ed is a regular attendee in synagogue services and activities; he is good-natured, modest, unselfish, and generously gives of his time to assist others in the community.

An intelligent and multi-talented individual, he has taken upon himself to lead scholarly discourses to fellow members. He has also opened his home to host community events and regular prayer meetings.

Over the past months Ed has shared with me elements of the allegations against him and the resulting charges brought by federal prosecutors. While he acted in ways that are antithetical to his morals and principles, he has acknowledged his errors and responsibility for same. I believe that he is truly remorseful and will act with stronger conviction to his morals in the future.

I hereby advocate for utmost leniency in any consequences that he might have to endure as a result of his actions. Please allow him to continue in his role as a devoted loving husband and father, and a contributing member to his community.

Thanking for your cooperation.

Sincerely,
NACHLAS JOSHUA

Rabbi Nahum Z. Rabinowitz

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

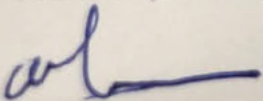
My name is Asher and I consider myself fortunate to be a close friend of Ed Rosenberg for over thirty years. Ed and I forged a close bond in elementary school and our friendship remains strong to this very day.

I'm aware that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery. The purpose of my letter is to give the Court some perspective on who Ed really is - a role model and a class act of an individual. I would like to share a personal story with you, which really touched me, as I reflect on Ed.

The most festive day in the Jewish Calendar is the Holiday of Purim. Ed and I discussed how there were many people who were bedridden in the Hospital- who would not be able to enjoy the Holiday, as they wished they could. So, the two of us spent the day in the Hospital, visiting and cheering up sick patients, so they too can smile on this special day. I'm reflecting on that day and the incredible devotion Ed displayed to the less fortunate souls in the Hospital.

Ed values his friendships and always makes the effort to stay in touch with me, despite us living a distance from each other. Ed deserves your compassion, please be lenient with him, we need Ed's genuine kindness in our lives.

From my Heart,



Asher Edelstein

[REDACTED]

Monsey NY 10952

Aaron Eichorn
[REDACTED]
Spring Valley, NY 10977

Honorable Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

To the Honorable Judge Jones,

My name is Aaron Eichorn, and I am a resident of the State of NY where I have lived for most of my life. I currently work in healthcare and am a Managing Director for Alvarez and Marsal, an international management consulting firm. I provide advisory services to hospital clients around the country facing distressed situations. Additionally, I have served on local not for profit boards, and am involved in multiple community activities that support the needy, ill, and disabled members of the community.

I have known Ed Rosenberg since we were both in the same class in High School in Brooklyn NY in 1993. We attended the same schools for almost ten years. We have studied together, played ball together, traveled together, and have been very close friends for nearly 30 years. We have participated together in joyous and in sad occasions and overall remain extremely close.

I am aware that Ed has pleaded guilty to a crime involving conspiracy to commit commercial bribery and the purpose of my letter is to give the Court information about interactions that I have had with Ed, and other general information related to Ed that would support your consideration of leniency and compassion for this very special person.

First, when I reflect on all of the years that I have known Ed, my initial reaction is the genuine consideration that Ed has always had for others. He always had his eye out for the "underdog" and would do what he could to advocate and include those types of individuals.

I have been involved in thousands of interactions with Ed, and have always found him to be fair, considerate and generous. I recall his willingness to always do favors for others. Although minor, I often needed to borrow money in high school to cover expenses at the local bakery. Ed was always available and would gladly loan me what I needed. Though this was a simple act of kindness which other might do as well, what differentiates Ed is HOW he did it. He always did it with a smile and understanding of my personal situation. Ed was also known throughout our class as someone who would always be generous in driving others where they needed to go. Most importantly, he would often do a "house stop" and would take the time to drop people off at their homes, without having to make them walk, even though it would take him a significant amount of additional time.

Ed is there for people who need him. In our gap year that we spent abroad, there was a student who had been struggling with life, and probably could be best described as "lost" and depressed. Ed befriended that student, encouraged him to attend the school that Ed was in, encouraged and enabled him to attend the same summer camp that Ed attended, ensured that he had good friends, teachers, mentors, and would arrange situations where that student would succeed. Today, this person is an accomplished author, teacher, speaker and scholar who himself leads troubled youth, and provides guidance to many others.

Aaron Eichorn

Spring Valley, NY 10977

As Ed started his career and encountered his own challenges, it didn't change his willingness to listen, understand and try to help the situations that others encountered. When I would reach out and discuss my own challenges, he was always optimistic, upbeat and open about his own career challenges which helped me as I started my career. He has always lived his life with all his senses attuned to the needs of others.

In situations where I needed to marshal community assistance for a father of four diagnosed with colon cancer, Ed was one of my first phone calls, because I know he would just say yes, without asking for details. For this friend who was diagnosed with colon cancer a few years ago, married with four children, and now deathly ill, Ed has organized a group of college friends to unite on behalf of his family and ensure that their physical, emotional and spiritual needs are met, so that they are cared for during these trying times. The family has been dealing with two special needs children, challenging employment, and Ed has been there as a friend and advocate for them throughout their journeys. I know for a fact that he has made special time out of his schedule to come by their hours to spend time, just being a friend and showing that he cares.

He is simply a generous and sympathetic person.

Another example which illustrates his essence, is the countless people who have told me that I should be honored to have Ed as my friend. They describe to me situations where he helped them with business advice at no charge and with no benefit to him. They have elaborated how much of this assistance was done without fanfare, in a modest and unassuming way. Most importantly, the impact that he has had on those people that he helped has literally saved their lives.

Ed is a beloved member to his family, and I know how close he is with his wife, children, parents, and siblings. He is a true member of the community and takes responsibility for community needs.

Because of the information provided above, I humbly request that the Judge consider this additional perspective and view of Ed, the person and that he be deserving of your leniency and compassion

Sincerely,



Aaron Eichorn

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones:

I am writing this letter to request leniency in sentencing for Ed Rosenberg, who recently pleaded guilty to commercial bribery. I have known Ed Rosenberg for over 35 years, and I am writing this letter to share my perspective on his character and his contributions to the community.

Firstly, Ed Rosenberg is an exceptional person, an honest g-d fearing husband and father. A family man who is overly dedicated to his wonderful wife and children. Ed, is selfless, who constantly worries and cares for each and every person who he meets.

On a personal level, when I needed help starting my business, Ed spent countless hours of his time helping me and answering ALL of my many questions. He never took a dime and never made me feel that I was harassing him. He truly cared and always followed up on my progress and the goings on of my business.

When Ed needed someone to assist him with escrow accounts in his business, he called his brother whom he knew could use the income. In typical Ed fashion he found a way to help out his brother financially without taking away his dignity by handing him money.

When a classmate of ours was going through a very difficult time and was on the down and outs. Ed contacted me asking if we can put together a list of friends who can help raise money and maybe even invite him over to help raise his spirits and keep him going. Ed would do anything to help anyone in need!!

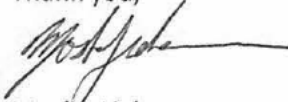
A few years ago, the company I now work for, Prunedanish.Corp had an illegitimate RO complaint filed against it by a competitor, causing Amazon to shut down our business, we were losing hundreds of thousands of dollars a day. We called Ed, like everyone else in our industry does, to help get us back. Ed worked tirelessly from morning till late at night on our case, never resting until he corrected the wrong. He did not rest, lost many hours of sleep helping us. Finally, just a few hours before sundown on a Friday night he called us with the amazing news that all his efforts paid off and we were back on. He treated my company as if it was his own. That is Classic Ed.

I understand that the charges against Ed Rosenberg are serious, and I do not condone any illegal activity. However, I believe that he made a mistake and has taken responsibility for his actions. He has expressed remorse for his actions and has done a lot to atone for his actions.

Moreover, Ed Rosenberg is a family man who has always been dedicated to his wife and children. His family is an essential part of his life, and he has always been a responsible and loving husband and father. His family has been greatly affected by this ordeal, and I believe that a lenient sentence would allow him to continue providing for them and be an active member of their lives.

I am confident that Ed Rosenberg has learned from this experience and that he will make every effort to avoid any further wrongdoing. I would like to request that you consider a lenient sentence that takes into account his contributions to the community, his family's welfare, and his genuine remorse for his actions.

Thank you,

A handwritten signature in black ink, appearing to read "Moshe Lieberman", with a long horizontal stroke extending to the right.

Moshe Lieberman

A solid black rectangular redaction box covering a line of text.

Brooklyn, NY

A solid black rectangular redaction box covering a line of text.



Joseph Gleiberman
[REDACTED]
Brooklyn, New York, 1210

April 24, 2023

Honorable Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, Washington, 98101-9906

To the Honorable Richard A. Jones,

My name is Joseph Gleiberman, and I am 57 years old. I was born in Brooklyn, New York and I have lived and raised my family here. Despite having previously worked in the import and wholesale distribution business for over thirty years, I am currently in the health care arena where I am a business owner. I am also a husband and father, and take great pride in my professional, family and community responsibilities.

I am writing to you today to express my admiration and appreciation for Ed Rosenberg, a dear friend, neighbor, and mentor whom I have had the pleasure of knowing for over a decade.

Throughout the years, I have come to know Ed as a caring and compassionate individual who consistently demonstrates an unwavering commitment to the well-being of those around him. He has been sensitive and understanding of my family's needs and has always been there to offer his support and guidance whenever we needed it. Throughout the years, I have come to know Ed as a gentle and kindhearted individual who consistently demonstrates an unwavering commitment to the well-being of those around him. He has been sensitive and considerate of my family's needs and has always been there to offer his support and guidance whenever we needed it.

In addition to his warm and empathetic nature, Ed is also a dedicated family man, and I have been privileged to witness firsthand the love and devotion he has for his loved ones. His unwavering commitment to his family is truly inspiring, and I have no doubt that his love and support have been instrumental in helping them to achieve their goals and aspirations.

As a business advisor, Ed is knowledgeable and experienced, and his insights and guidance have been invaluable to me over the years. He has a sharp mind and a keen eye for detail, and I have always been impressed by his ability to identify opportunities and prospects in any given situation.

I understand that Ed has pleaded guilty to conspiracy, but I urge the court to consider his remarkable qualities as a person and the positive impact he has had on those around him. I believe he deserves leniency and consideration, given his past actions and commitment to his family, business associates and community. I would like to share just one such an instance.

Several years ago, a close friend and business associate of Ed's was facing a difficult situation - his funds for a down payment on his new house were frozen due to a legal dispute. It was a stressful and uncertain time for him, and it seemed like there was no easy way out. However, Ed stepped up in a big way. He rallied a group of close friends and business owners together, all of whom were willing to extend a short-term loan to help our associate close on his new home. Together, they were able to provide over \$100,000 in funding, which ultimately allowed our friend to overcome his financial hurdle and move forward with his plans.

Throughout this entire process, Ed demonstrated outstanding leadership, sensitivity, and empathy. He understood the gravity of the situation and took swift and decisive action to help his friend. Ed's compassion and generosity of spirit shone through, inspiring everyone around him to step up and make a positive difference in the lives of others.

It is people like Ed, who truly make a difference in this world. His selflessness and willingness to put others first are qualities that we should all strive to emulate. I feel incredibly fortunate to know Ed and to have witnessed firsthand the impact he has had on the lives of those around him. His kindness and generosity have left an indelible mark on my heart, and I am sure I am not alone in this sentiment.

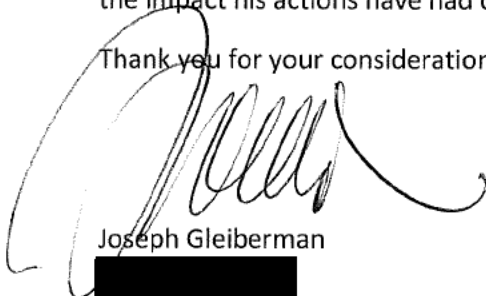
As a husband to his wife and father to his daughters and son, Ed has always been a loving and caring figure in their lives. He has gone to great lengths to ensure that his family was protected and supported in every possible way. Even during the recent trying times, Ed has been a pillar of strength for his loved ones, handling everything with a calm and reassuring manner.

Despite facing significant challenges and issues lately, Ed's constant concern for others has remained unwavering. His impeccable reputation in the community may have been temporarily tarnished, but he has never once blamed anyone else for his problems. Instead, he has silently shouldered his pain and worked towards rebuilding his life and relationships.

The recent issues have had a profound impact on Ed's family, who have suffered immensely due to the situation. However, they have all stood by him, believing in his essential goodness and the fundamental values that have always guided his life.

In conclusion, I cannot speak highly enough of Ed's character and integrity as a family man and responsible member of society. I sincerely hope that you will take into account his positive qualities and the impact his actions have had on those around him when making your decision.

Thank you for your consideration,



Joseph Gleiberman

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Honorable Judge Jones,

May 15, 2023

My name is Sholom Schneider and I am an Actuary working for a prestigious consulting firm in NYC.

I am writing this letter to express my support for Ed Rosenberg, who is appearing before you in court. I have had the pleasure of knowing Ed and his beautiful family for many years. We met a few years back through a mutual friend and have been studying Talmud together ever since. His dedication really pushed us to continue our nightly sessions virtually throughout the pandemic as well. His daughter was a classmate of my daughter and a friend as well. During this time, I have come to know Ed as a person of high moral character, integrity, and honesty.

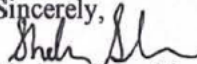

Ed is a devoted spouse and a loving parent to his children. His family is a beautiful example of love, support, and kindness. He has always been involved in their children's lives, providing them with a stable and nurturing environment. Ed is always planning trips to spend time with his family and especially enjoys going to sporting events with his son.

Ed has always been a responsible and law-abiding citizen. He has always shown respect for the law and have never been involved in any criminal activity. I have no doubt that Ed is genuinely remorseful for his actions and is committed to making amends for any harm caused.

I believe that Ed is a valuable member of our community and has a lot to offer. He has always been willing to help others both in business and in their personal lives. He has contributed generously to many organizations that are close to my heart. Ed's contributions to these great organizations are a testament to his kind and giving nature. In addition, I know that he has assisted family members pay their children's tuition to alleviate financial stress that they were going through. Despite what Ed did that led him to plead guilty to a crime, I am confident that Ed Rosenberg will continue to be a positive influence in our community and will make every effort to avoid any future legal issues.

I respectfully request that you consider Ed Rosenberg's character, his beautiful family, and his contributions to the community when making your decision. I believe that Ed deserves the benefit of the doubt and a chance to continue doing all the amazing things that he does for his family and everyone around him.

Thank you for your time and consideration.

Sincerely,

Sholom Schneider


THE SILBER LAW FIRM, LLC
2361 NOSTRAND AVENUE • FIFTH FLOOR
BROOKLYN, NEW YORK 11210

TELEPHONE: (212) 765-4567
FACSIMILE: (212) 504-8165

May 12, 2023

Hon. Richard A. Jones
United States District Court
Western District of Washington
700 Stewart Street, Suite 13128
Seattle, Washington 98101-9906

Re: *Ed Rosenberg*

Dear Judge Jones:

I am attorney in New York and have known Ed for about five years. During that time, our families have become friendly and we spend some parts of our summers together. I write to ask this Court for leniency when it sentences Ed.

While Ed is always in good spirit, his passion for helping Amazon sellers holds a special place in his heart, even as it may also be his livelihood. Remarkably, notwithstanding his paid work, Ed spends countless unpaid hours assisting and working with sellers, both in person and through the many social media platforms that he runs. I have also seen him "in action" during the annual (now semi-annual) Amazon trade shows that he runs, where thousands of people walk through the door and engage with the multitude of lectures and exhibitors that present. While I cannot say that he knows each of those people personally, he knows more people by first name than I can count. The overall vibe of those shows, because they are not massive events, is one of genuine camaraderie among the attendees, a direct outgrowth of how Ed runs his business — and his life. He knows so many people because he helps so many people. His knowledge and generosity in his work is reflected in how many Amazon sellers speak so highly of him.

His generosity and kindness displays in his personal life as well. He is well liked and respected. He is asked to speak publicly at synagogue gatherings which is always well-received and he is a source of wisdom and advice, and support, to many. Ed is one of those all-around good guys. His good nature and readiness to help is obvious to anyone that talks to him for just a few minutes.

I understand that Ed has pleaded guilty to serious charges. That is not to be condoned but I truly believe that whatever he did was a result of him trying to help, even as that desire may have for those situations misplaced. Without excusing or minimizing his bad conduct, I would ask the Court to believe that the conduct that brought him before the Court is so far and away outweighed by the good that he does, by the help that he provides,

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and genuine happiness that he brings to many. Recognizing that the Court has to administer a punishment, I ask the Court to keep all of this in mind while doing so and to act with wisdom and justice, and kindness.

Thank you.

Respectfully submitted,



Meyer Y. Silber

Hon. Richard A. Jones
United States District Court, WDW
700 Stewart Street, Suite 13128
Seattle, WA 98101-9906

Dear Judge Jones:

I have been very involved and worked closely with Ephraim/Ed Rosenberg and his seller's community (ASGTG) over the past 5 years. I am aware of the charges against Ed. I am also aware that Ed pleaded guilty to a crime involving conspiracy to commit commercial bribery. I would like to share what I have personally witnessed about Ed from working closely with him and many Amazon sellers.

I have personally witnessed his integrity of character. On many occasions, Ed has turned down large sums of money from sellers. He only took cases where he feels he can represent the seller in an honest way. Six years ago Ed recognized a huge void in the Amazon seller's community. Many Amazon accounts were being shut down and putting thousands of workers out of jobs. Often, if sellers simply understood how to remain compliant they could have avoided losing their business. Ed built a network of Amazon sellers where they can network and discuss how to remain compliant with Amazon's Terms of Service.

There was a tremendous need for a liaison between Amazon sellers and Amazon Inc. He worked hard to build trustworthy relationships with Amazon executives. He traveled from NY to Seattle to meet with Amazon employees. He Researched each account that he represented, to ensure he was not representing an account that was involved in fraudulent activity.

Ed / Asgtg all organized nine annual events for Amazon Sellers networking. There are many annual Amazon seller events. The ASGTG events are recognized as leading events in the industry. More information on the event can be seen on asgtgevenst.com. On several occasions, Amazon Inc, sent Amazon employees to speak and meet with Amazon sellers at the ASGTG events. This was a very big deal because it showed Amazon was recognizing that these events were helpful to Amazon and its community.

It's close to 3 years since the charges against Ed. The ASGTG community has continued to do its important work of keeping people informed of Amazon policies and changes during these past few years. Ed and his staff have continued to work hard to reinstate hundreds of accounts using ~~their~~ Ed's knowledge and soft touch. And Ed has continued to help as many people and businesses as he can free of charge whenever they ask for his help. Even when things are tough, Ed continues to work and to help because that's the kind of person he is. Considering all this, I am confident that Ed is deserving of great leniency and compassion.

Thank you,

Dena Alpert

